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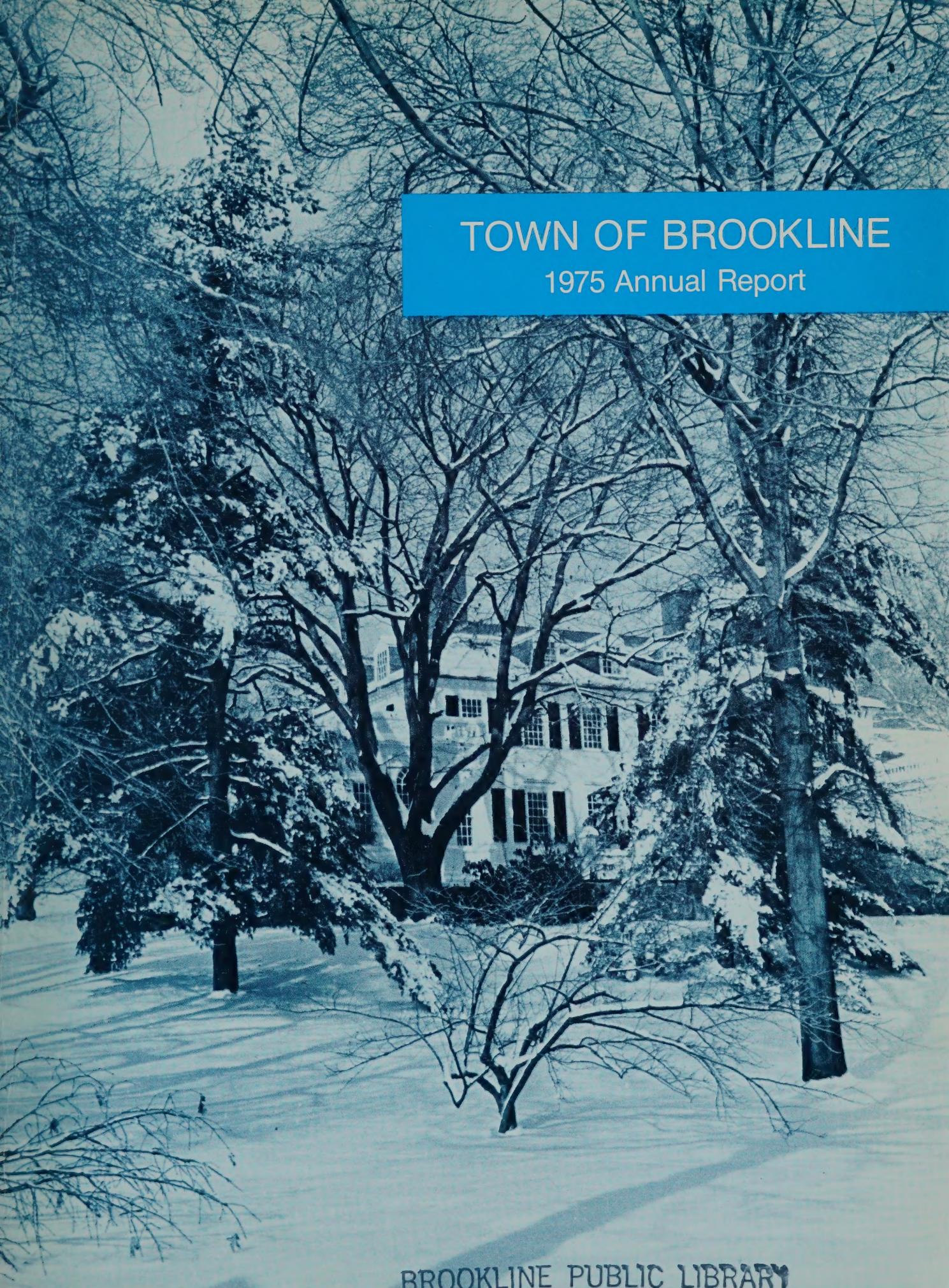












**TOWN OF BROOKLINE**  
1975 Annual Report

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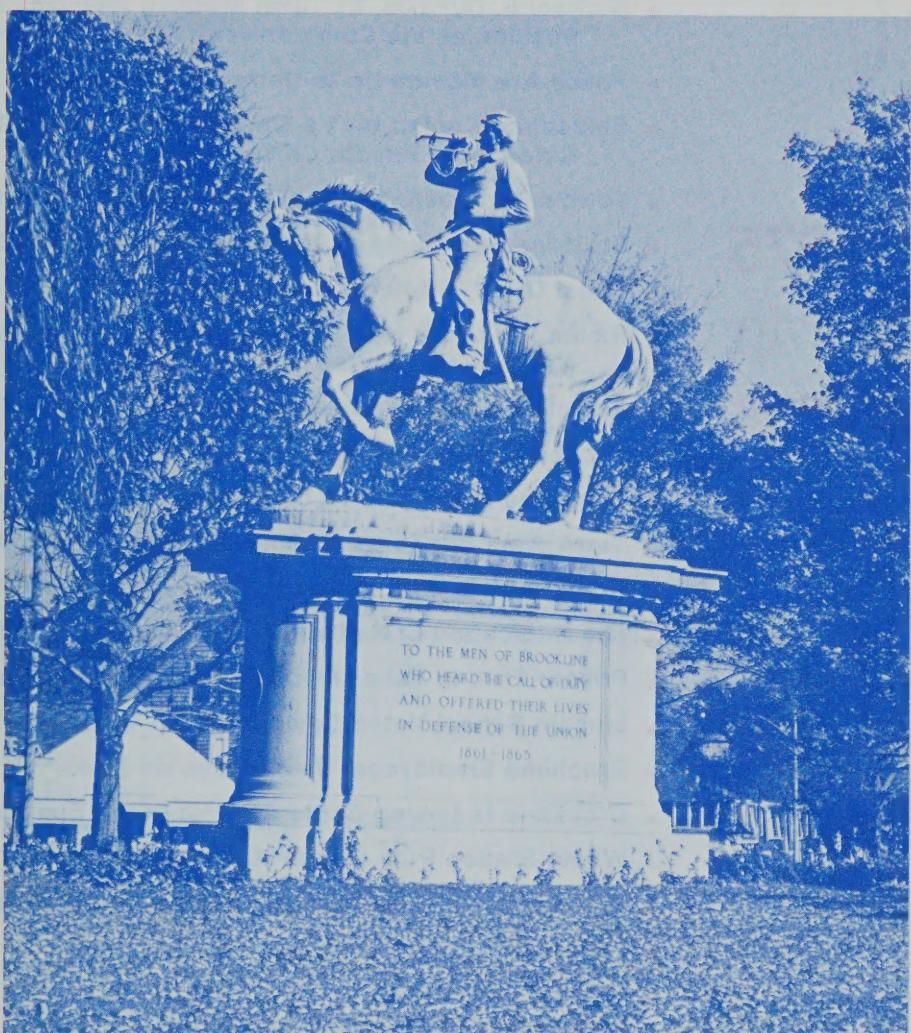
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The photograph on the front cover is of the handsome white Georgian clapboard mansion, located on the former site of Cardinal Cushing College on Boylston Street. It was built in 1926 by Robert Gregg Stone, the son of Galen Luther Stone, founder of the brokerage firm of Hayden, Stone & Company. The long classical facade with two Palladian windowed wings and a large service wing rises from sweeping lawns designed by J. Lovell Little of the architectural firm of Littell & Russell, Boston. The house has outstanding examples of rich carving and the use of Palladian and classical pattern motivations.

Mr. & Mrs. Stone and their five children lived in the house for nearly 20 years. In 1946, with the encroachment of Route 9, the entire estate was sold to the Sisters of the Holy Cross.

The landscaping on the estate was done by Frederick Law Olmsted, who designed New York's Central Park and in Boston created the nation's first regional park system, the Charles-to-Charles corridor known as the "Emerald Necklace."

This photograph is by Fred Vytal, a professional photographer who has furnished us with several outstanding photographs for previous annual reports.



270th Annual Report of the  
TOWN OFFICERS of BROOKLINE  
for the year ending December 31, 1975

# 1975 in Headlines

- Michael S. Dukakis, Ex Town Meeting Member, Takes His Position as the Commonwealth's 61st Governor
- Police Are Moving Up to Computer Techniques
- Selectman Kaplan Isn't a Candidate for Re-election — To Seek Reforms as Private Citizen
- Town's Purchasing Agent Receives Brotherhood Award
- St. Mary's Elementary School to Celebrate Its 75th Year
- "Best Offer" Arbiters Give Firefighters 10%
- Richard T. Leary Named to Governor's Local Government Advisory Committee
- Selectmen Vote to Hire Assistant Town Counsel
- Judah M. Stone Elected to Board of Selectmen
- Cochrane Is Re-elected Chairman of the Board of Selectmen
- Town Wins Challenge of \$600,000 Due to Norfolk County
- Ann E. Macdonald to Retire after 27 Years with Schools
- The Dedication of Hall's Pond Sanctuary is Set for June 15
- Private Firm to Take Over Auditing of Town's Finances
- Lincoln School Voted Down by Town Voters
- Brookline Employees' Union Goes on Strike
- Brookline Is Losing Battle Against Dutch Elm Disease
- Waste Station Puts Incinerator in Mothballs
- \$530,000 Needed to Pay New Employees' Contract
- New MBTA Formula Hits Brookline Harder
- Tax Rate Set at \$84
- Marsh Ground Breaking — 307 Units; \$11 Million
- Personnel Board Will Bargain for Schools
- Housing Authority Dedicates Apartments to Theresa Morse and Benjamin Trustman
- State Pressures Town to Re-assess Properties
- School Committee Honors Viola Pinanski for 40 Years Service
- First Female Police Officer Appointed
- \$1.8 Million Rehabilitation Project Can Begin in Central Village

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# TOWN OFFICERS

## Elected Town Officers

### FOR THE MUNICIPAL YEAR 1975-1976

#### MODERATOR

Justin L. Wyner (1976)

#### TOWN CLERK

Thomas F. Larkin (1976)

#### BOARD OF SELECTMEN

Robert C. Cochrane, Jr., *Chairman* (1978)  
Herbert Abrams (1976)  
Eleanor Myerson (1976)  
Edward Novakoff (1977)  
Judah M. Stone (1978)

#### TREASURER AND COLLECTOR

Allan Sidd (1978)

#### TRUSTEES OF PUBLIC LIBRARY

Emilie L. Drooker, *Chairman* (1978)  
Francis A. Caswell (1976)  
Martha G. Edmondson (1976)  
Morris Goldman (1976)  
James A. Lowell (1976)  
Frederick S. Sharff (1976)  
Bernard E. Edelstein (1977)  
Robert I. Hunneman (1977)  
H. Richard Tyler (1977)  
Bertha E. Copeland (1978)  
Dorothy B. Edinburg (1978)  
Tudor Gardiner (1978)

#### SCHOOL COMMITTEE

Ann M. Wacker, *Chairman* (1978)  
John T. Connerton (1976)  
Brian L. Conry (1976)  
Viola R. Pinanski (1976)

Joseph Robinson (1977)  
Ellsworth S. Rosen (1977)  
Natalie Zuckerman (1977)  
Jacques M. Dronsick (1978)  
Roger Stern (1978)

#### TRUSTEES OF WALNUT HILLS CEMETERY

Walter E. Palmer, *Chairman* (1977)  
George V. Brown, Jr. (1976)  
Ernest R. Caverly (1976)  
Roger B. Tyler (1977)  
Kevin J. Lally (1978)  
Russell H. Mann, Jr. (1978)

#### BROOKLINE HOUSING AUTHORITY

\*Edwin George Saphar, *Chairman* (1978)  
Harriet Sussman Bremner,  
Vice Chairman (1980)  
Joseph J. Slotnik, *State Appointed* (1976)  
John W. Kickham (1976)  
Bernice R. Speen (1979)

#### BROOKLINE REDEVELOPMENT AUTHORITY

John M. Clancy, *Chairman* (1977)  
G. Craig Bolon, *State Appointed Member*  
Herbert K. Bremner (1978)  
James M. Brown (1979)  
James P. Duggan (1980)

#### CONSTABLES

James V. Esposito  
William A. Figler  
Tania R. Langerman  
John P. McElroy  
William F. Norris, Jr.

Resigned 1/31/76

## Appointees

### FOR THE MUNICIPAL YEAR 1975-1976

#### BOARD OF SELECTMEN

Richard T. Leary, *Executive Secretary*

#### COUNSEL

David L. Turner, *Town Counsel*  
John J. Carlino, *Asst. Town Counsel*

#### ADVISORY COUNCIL OF PUBLIC HEALTH

Dr. H. Richard Nesson, *Chairman* (1977)  
Karen G. Fischer (1976)  
Dr. Gerald F. Winkler (1976)  
Adele Dronsick (1977)  
Dr. M. Michael Cohen (1978)  
Genevieve Foley (1978)

#### DIRECTOR OF PUBLIC HEALTH

Shepard N. Cohen

#### ASSESSORS

Francis E. Ryan, *Chairman* (1977)  
George F. McNeilly (1976)  
Aryeh R. Friedman (1978)

#### BOARD OF APPEALS

Arthur J. Hanflig, *Chairman* (1977)  
Russell W. Ambach (1976)  
Robert W. Stokes (1978)  
Thomas F. Larkin, *Secretary*

#### BOARD OF APPEALS —

#### ASSOCIATE MEMBERS

Clifford D. Stewart (1978)  
Joseph I. Sargon (1976)  
Abraham J. Zimmerman (1977)

#### BOARD OF EXAMINERS

Clifford D. Stewart, *Chairman* (1978)  
Julius Abrams (1976)  
George Michelson (1977)

#### BUILDING COMMISSION

A. Anthony Tappe, *Chairman* (1976)  
Eugene Eisenberg (1976)  
Clifton E. Helman (1976)  
William Landau (1976)  
Stanley Shuman (1976)

#### BUILDING COMMISSIONER

Royce E. Beatty

#### INSPECTOR OF WIRES

Royce E. Beatty

#### CONSERVATION COMMISSION

Merrill H. Diamond, *Chairman* (1978)  
M. Lee Albright, *Vice Chairman* (1977)  
Linda Kohn (1976)  
Guy D. Rosmarin (1976)  
Henry T. Wiggin (1976)  
Mary P. Nelson (1977)  
Bernard I. Sohn (1978)

#### CONSERVATION

Hooper L. Brooks, *Director*

#### TREE PLANTING COMMITTEE

Hamilton Coolidge, *Chairman* (1978)  
John E. Miller (1976)  
Corliss Engle (1977)

#### HUMAN RELATIONS —

#### YOUTH RESOURCES COMMISSION

Myron S. Alexander, *Chairman* (1978)  
Robert J. Awkward (1976)  
Karen G. Fischer (1976)  
Charles R. Frazer (1976)  
Capt. John F. Griffin (1976)  
Ian A.F. Blackman (1977)  
Thomas P. Condon (1977)  
Theodore Edelman (1977)  
Sheila M. Harrington (1977)  
James M. McCaffrey (1977)  
Edward D. McClure (1977)  
Francis M. Moroney (1977)  
Msgr. Francis J. Sexton (1977)  
Roy H. Brown (1978)  
Shirley L. McGarry (1978)  
Agnes M. Rogers (1978)

#### DIRECTOR OF HUMAN RELATIONS —

#### YOUTH RESOURCES

Joseph F. McCormack (1976)

#### PARK AND RECREATION COMMISSION

Cantor Michal Hammerman, *Chairman* (1977)  
Bernard Solomon (1976)  
Barton H. Tayer, D.M.D. (1976)  
Jean B. Waldstein (1977)  
Daniel F. Ford (1978)  
Jane Moss (1978)  
Walter E. Elcock (1978)

#### DIRECTOR — RECREATION DIVISION

Evelyn M. Kirrane

## SUPERINTENDENT OF PARKS AND FORESTRY

Daniel W. Warren, Jr.

## PERSONNEL BOARD

Franklin Wyman, Jr., *Chairman* (1977)  
Barbara Pastan (1976)  
Donald G. Frank (1977)  
Michael J. Muse (1978)  
William T. Kickham (1978)

Linda G. McCabe

Julie Moore-Ede  
Brian Oper  
Skip Sesling  
Stanley Zoll

### *Precinct 10*

Laurence Koff  
Karl Radov  
Jordan Shapiro  
Rosanne Stein  
Max Tisser

### *Precinct 11*

Stella B. Greenfield  
Tania R. Langerman  
Samuel E. Mintz

### *Precinct 12*

Sumner J. Chertok  
Mrs. William Griffin  
Christopher Hussey  
Harold Lane  
Patricia C. Libbey  
Eileen Reilly

### *Precinct 13*

Sylvia G. Brussel  
John Finley, III  
Katherine R. Harris  
Daniel C. Katz  
Sidney Heimberg  
Richard Litner  
Jane Manly  
Barbara Senecal  
Jean Stanbury  
Robert Weinberg  
Bonnie M. Wilber

### *Precinct 14*

Marcy Clebnik  
Mary Jo Dow  
James Segel

### *Precinct 15*

Sylvia Brenner  
Luster Delany  
Margaret Hurley  
Gerald Lazar  
Deborah Rudman  
Max Vigil  
Terry Ann Vigil  
Katherine W. Wheeler

### *Precinct 16*

Abbot E. Allschwang  
Phyllis G. Ryack  
Howard Wilgoren

## PLANNING BOARD

Herbert L. Shivek, *Chairman* (1979)  
Patricia C. Libbey (1976)  
Robert Kramer (1978)  
Allen J. Drescher (1980)

## PLANNING DIRECTOR

John E. Woodward, Jr. (1976)

## COUNCIL FOR PLANNING AND RENEWAL

1975 - 1976

Laurence Koff, *Chairman*

### *Precinct 1*

Marc Fried  
Richard V.H. Frost  
Henry I. Kohn  
Eric Morse  
Dr. Earl Shindell  
Helen Linsky

### *Precinct 2*

Lillian Freedman

### *Precinct 3*

Robert Awkward  
Deborah G. Ross  
Ann Wacker

### *Precinct 4*

Dorothy Bruno  
Barbara Cunningham  
Mary M. Joyce

### *Precinct 5*

Wolger Johnson  
Samuel E. Shaw  
Bill Varian

### *Precinct 6*

Esther R. Maletz  
George Sioras  
Philip Zeigler

### *Precinct 7*

Sarah Barnes  
James M. Berenson  
Jane Hutchings

### *Precinct 8*

Elliot Friedman  
Gail Rotegard

### *Precinct 9*

MacDonald Barr  
Anita B. Mangiaracine

## REGISTRARS OF VOTERS

William B. Hickey, *Chairman* (1976)  
Frances Halpern (1977)  
John R. Lake (1978)  
Thomas F. Larkin (*Clerk ex-officio*)

#### RENT CONTROL BOARD

David G. Pfeiffer, *Chairman* (1976)  
Estelle Katz (1976)  
Louis Tobasky (1976)  
Stephen M. Roberts (1976)  
George M. Lezberg (1976)  
Cynthia Reed-Workman (1976)  
Thomas J. Dillon (1976)  
Richard A. Siegel (1976)  
Nathan S. Wise (1976)

#### RENT CONTROL BOARD DIRECTOR-COUNSEL

Roger R. Lipson

#### RETIREMENT BOARD

Joseph P. Duffy (*Elected by Members*)  
Joseph F. McCormack (1977)  
Frank E. Mauritz (*ex-officio*)

#### TRANSPORTATION BOARD

Robert E. Hillman, *Chairman* (1978)  
Sherman G. Sass (1976)  
Lawrence R. Seder (1976)  
Else Lewin (1977)  
Leo R. Minahan (1977)  
Arthur J. Eckman (1978)

#### DIRECTOR OF TRANSPORTATION

Stanley T. Siegel

#### BICENTENNIAL COMMISSION

Jason A. Aisner, *Chairman*  
Alan E. Gorham  
Irene Heartz  
Evelyn M. Kirrane  
Ann E. Macdonald  
Helen T. McIntosh  
William D. Mehegan  
James W. Segel  
Duncan Smith  
Roger B. Tyler  
S. Morton Vose, II  
Genevieve Wyner

#### HISTORICAL COMMISSION

Kathryn C. Buhler (1976)  
Dr. Irvin Taubé (1976)  
James F. McIntosh (1977)  
Carolyn Wetherbee (1977)  
Ann E. Macdonald (1977)  
Nancy A. Smith (1978)  
Dorothy M. Singer (1978)

#### ADVISORY COMMITTEE

(Appointed by Moderator)

Kenneth M. Nelson, *Chairman*  
Robert M. Stein, *Vice-Chairman*  
Anne Baybutt Winslow  
Jean Berg

Wendell G. Campbell

Luster T. Delany  
John J. Doherty  
Mary Firestone  
Dennis G. Fitzgerald  
Louis M. Flashenberg  
Stephen C. Ford  
Ferris M. Hall  
Mary Joyce  
James H. Kurland  
Joan B. Lamphier  
Virginia W. LaPlante  
Charlotte Litt  
Ralph B. Levy  
Gretchen Mamis  
Donald J. Moore, Jr.  
Eric Robert Morse  
Patricia Ostrander  
Myron Robins  
Deborah D. Rudman  
Laura Schlesinger  
Louis J. Scorziello  
Shirley Sidd  
Sidney Weinberg  
Bruce R. Young  
Seymour Ziskend

#### COMMITTEE ON TOWN ORGANIZATION AND STRUCTURE (appointed by the Moderator)

Samuel E. Shaw, II, *Chairman*  
Robert C. Berner  
Adrian E. Bessey  
Ellen S. Heller  
Benjamin H. Lacy  
Alan R. Morse

#### COUNCIL ON AGING

Louise M. Castle, *Chairman*  
Evelyn Greenman, *Director*

#### COMPTROLLER

Frank E. Mauritz (1978)

#### FIRE DEPARTMENT

William E. Murphy, *Chief*

#### INSPECTOR OF PETROLEUM

William E. Murphy

#### LIBRARIAN

Theresa A. Carroll

#### POLICE DEPARTMENT

James C. Rourke, *Chief of Police*

#### KEEPER OF THE LOCK-UP

James C. Rourke

PUBLIC SCHOOLS  
Robert I. Sperber,  
*Superintendent of Schools*

PUBLIC WORKS DEPARTMENT  
Leo D. Picardi, *Commissioner of  
Public Works*  
William T. Griffiths, *Director of  
Engineering*  
Richard T. Kirby, *Director of  
Highways*  
Paul T. Clancy, *Director of  
Water Division*

PURCHASING AGENT  
Edward F. Clasby

DIRECTOR OF VETERANS' SERVICES  
John T. Connor

STATE AID AGENT  
John T. Connor

DIRECTOR OF CIVIL DEFENSE  
Peter J. Needham

TOWN CLERK'S DEPARTMENT  
John F. Kendrick,  
*Assistant Town Clerk*

TREASURER'S DEPARTMENT  
Julia Loughlin, *Assistant Treasurer*

WALNUT HILLS CEMETERY  
Earle Smith, *Superintendent*

DEPUTY TAX COLLECTOR  
Thomas P. Condon

DOG OFFICER  
Ptl. Robert E. Firth

FENCE VIEWERS  
James M. Brown  
Louis M. Flashenberg

MEASURERS OF WOOD AND BARK  
Anne B. Winslow  
Robert W. Taylor

INSPECTOR OF ANIMALS  
Dr. Herbert S. Carlin

LOCAL MOTH SUPERINTENDENT OF  
INSECT PEST CONTROL  
Hamilton Coolidge

SEALER OF WEIGHTS AND MEASURES  
Raymond F. Wagner

WEIGHERS OF COAL  
Augustus M. Signore  
Louise Jones

# BOARD OF SELECTMEN

At the Board's organizational meeting on March 10, 1975, following the Annual Town Election, Robert C. Cochrane Jr. was elected Chairman. Other Board members are Herbert Abrams, Eleanor Myerson, Edward Novakoff, and Judah M. Stone. Richard T. Leary was reappointed to serve as Executive Secretary of the Board for the ensuing year.

As is true every year, when the Board of Selectmen balanced its books at the end of 1975 it was conscious of significant progress in some areas, of some disappointments in others, and of problems, opportunities and challenges ahead. Our reputation as a well-governed municipality has been earned because our government has been responsible. Its programs for meeting the demands of the times have been effective; nevertheless, the constantly changing patterns of urban life and the burgeoning need to deal with a wide variety of social and human resources problems present unprecedented policy and administrative challenges coupled with growing financial burdens.

"1975 in Headlines," which appears on an earlier page of this Annual Report, is a capsule summary of major town activities and events during the year, many of which were of primary importance to the Selectmen. Much is said these days concerning the Board's leadership role in the community. The Selectmen, as the town's prudential officers, are keenly aware of this responsibility and constantly strive to exercise strong leadership by developing programs, goals and priorities for consideration and implementation each year while also dealing with projects and issues which arise on a continuing basis. Although new challenges to the town's governing body receive a full measure of publicity and require many hours of attention, the usual ongoing functions of town government cannot be overlooked for they still account for the greater part of the municipal budget.

In the latter connection, the town's fiscal problems have been receiving priority attention and the Selectmen, as the Executive Secretary's annual report indicates, have exercised every means at



*The Board of Selectmen and its Executive Secretary*

their command to keep our operating budget in check. Indeed, the budget problem has been the Board's first priority for some time. This firm approach to the community's tax rate situation reflects a strong and continuing commitment to preserve Brookline as an affordable community for all of its residents.

The Selectmen are called upon to devote an increasing portion of their meeting time to preparing for the annual town meeting and special town meetings held throughout the year. In addition to developing recommendations for the 1975 Annual Meeting which consisted of a 50 article warrant and, after eight sessions, concluded on May 14, it was necessary shortly thereafter to undertake preparatory work in connection with a special town meeting in September on collective bargaining, the regular fall town meeting in November — a 21 article warrant — and a special meeting on December 16 relating principally to rent control, acoustical and masonry studies at the New Pierce School, and the acquisition of a parcel of land owned by St. Dominic's Institute, Inc., for conservation purposes. Although the Selectmen generally agree that there is a need for a special town meeting each year in the fall in order to act on bylaw amendments, proposed legislation, and other non-fiscal matters, the lateness of the 1975 Annual Meeting and the several special meetings in the fall made it extremely difficult for the town's administration to concentrate on ongoing departmental programs and activities. It was partly because of this problem that the Selectmen decided last November to call the 1976 Annual Town Meeting for March 30, approximately one month earlier than last year.

Among the key actions of the Board during the past year were:

- Secured a favorable decision of the Supreme Judicial Court in granting declaratory relief to the town on the apportionment and assessment of county taxes for FY 74. The court sustained the town's position that the assessed valuations established in 1963 could not be employed to establish the proportion of the county tax to be paid by the town in 1974. On August 19 the Commissioner of Corporations and Taxation advised the Town Comptroller that the amount in question, \$604,647, could be used as an offset in determining the tax rate for FY 76. The Selectmen are most grateful to Representative James Segel for urging this matter upon us and commend former Town Counsel David M. Roseman for his successful argument before the Supreme Judicial Court.

- Engaged the services of Price, Waterhouse & Co. to conduct a complete external audit of the financial records of the town and submit recommendations for improved internal management controls. In suggesting this course, the Selectmen's Committee on Financial Management, chaired by Selectman Novakoff, took note of the fact that the State Bureau of Accounts is unable to conduct audits more often than every several years due to lack of funds and personnel. With a budget of \$40 million there is no doubt that the institution of an independent auditing procedure at a relatively small expense will inure to the benefit of our town government and to the citizens. Brookline was the first major municipality in Massachusetts to establish such a procedure which no doubt will be adopted on a statewide basis over the next few years.
- In concert with the Personnel Board, negotiated an acceptable collective bargaining agreement with Local 1358, AFSCME, following the return to work of employees who had participated in a one day strike on July 1. The Board met intensively with the union representatives and the Personnel Board on the day of the strike and immediately thereafter; following a full review of the issues in collective bargaining and reappraisal of the town's position, meaningful negotiations resumed and the agreement reached between the Personnel Board and the AFSCME group was ratified by the Selectmen on July 28.
- Implemented the recommendations of the Legal Services Study Committee which were as follows:
  - (1) That the present arrangement of having an experienced Town Counsel on a part-time basis continue;
  - (2) That a full-time Assistant Town Counsel, who should be a lawyer with a few years' experience, be hired and assigned to the office of the Executive Secretary and that his time and service should be available to all boards, departments, committees, commissions and officers of the town, and in addition be the attorney in tort litigation against the town and perform such other legal duties as may be assigned to him from time to time by either the Executive Secretary, Board of Selectmen, or Town Counsel.

The Committee was very much concerned with the proliferation of legal services within the various town departments, and concluded that some services could be per-

formed more economically by an attorney employed by the town on a full-time basis. Mr. John J. Carlino was employed in this capacity, effective August 25, 1975, and is working under the general supervision of Town Counsel David L. Turner who was appointed on January 26 of this year.

- Secured a favorable decision of the Supreme Judicial Court in the case of John Donnelly & Sons, Inc. vs. Outdoor Advertising Board which grew out of the town's adoption of a sign by law in 1967 prohibiting billboards. The Board of Selectmen and the Building Commissioner, who enforces the bylaw, have pledged that the court's decision will be carried out as soon as it is legally permissible to do so. The Donnelly Company has taken an appeal to the Supreme Court of the United States but we are reasonably confident, based on precedent, that the United States Supreme Court will dismiss this appeal for a lack of a substantial federal question. Thus we all hopefully look forward to the removal of these billboards within the near future.
- Commenced a comprehensive property rehabilitation program in the Central Village Area utilizing Community Development Block Grant funds which for FY 77 will total \$1,180,000. The town had previously allocated \$127,000 out of the current year's Development Act funds for housing inspections, secretarial assistance, and other staff support, the bulk of this money being paid to personnel formerly with the Washington Square code enforcement program who were transferred to the Building Department for this purpose. The program is well underway with 82 homeowners involved in the rehabilitation process to date. Of these, 57 have taken advantage of the allotment of \$219,000 in Section 312 rehabilitation loan funds made available to the Village Area by HUD. These funds provide low interest (3%) loans for home rehabilitation with a repayment period of up to 20 years. Many other homeowners have availed themselves of the services of the Program which include housing safety inspections and rehabilitation and financial counselling. 103 structures containing 240 dwelling units have been inspected thus far.
- Appointed Feasibility Study Committees for the rehabilitation of the James J. Lynch Recreation Center and for improvements to the Driscoll School, with Selectmen Myerson and Novakoff chairing the respective committees. With regard to the first project, the committee has selected the firm of Ar-

rowstreet, Inc., to make the feasibility study at a cost not to exceed \$6,000. The Driscoll School committee recommended award of contract to Engelhardt & Engelhardt, Inc., to conduct the demographic analysis and is now proceeding with the second phase of its charge — the selection of an architect to make the feasibility study.

- Continued the effort to hear and coordinate the concerns of Town agencies, neighborhood groups and individuals, with respect to upgrading the quality of development and retail activities in the Town's commercial areas. The Selectmen's Committee on Planning and Rehabilitation, formed late in 1974 and chaired by Selectman Abrams, met many times in 1975 and was concerned primarily with proposals to improve the commercial areas of Coolidge Corner, Washington Square, lower Beacon Street and Brookline Village, and to lessen any undesirable effects these areas may have on adjacent residential neighborhoods. The Committee sponsored a presentation by a Cambridge firm experienced in eliminating "visual pollution" in commercial areas throughout the country. It also met with representatives of private firms, such as the Gulf Oil Real Estate Division, to discuss ways of encouraging high quality private investment in the Town's retail areas. The Committee initiated, through the Community Development Program and the Planning Department, efforts to begin a comprehensive examination of the design and activities of the Coolidge Corner area, and it is in the process of considering other mechanisms that would achieve maximum citizen input to any plans developed for the revitalization of Coolidge Corner.

The Selectmen are pleased to note that Executive Secretary Richard T. Leary was elected President of the Massachusetts League of Cities and Towns at the League's Annual Meeting on October 16. An additional office held by Mr. Leary is that of Vice Chairman of the Governor's Local Government Advisory Committee which functions as an advisory body to Governor Dukakis on the needs of local government, assists in organizing state and Federal resources to deal with the problems of local government, and promotes legislative and administrative proposals reflecting the interests of local governments. The relationships established through these affiliations are most helpful in terms of keeping the Board abreast of current developments at the state level pertaining to cities and towns generally, and making our views on various policy and legislative issues known to officials and other interested parties who are in a position to influence the ultimate decisions on same.

A community that was settled in 1630 and was incorporated as a town 75 years later has a heritage that is deep and a history of which each citizen can well be proud. The Brookline of today is remarkable as a community, justly proud of a distinguished past, yet not content to rest upon the glory that has gone before. A disposition to boast too much of the past is likely to assure an unfruitful future, but Brookline has found in its past not

so much a boast as honest pride; and even less of honest pride than of inspiration for the future.

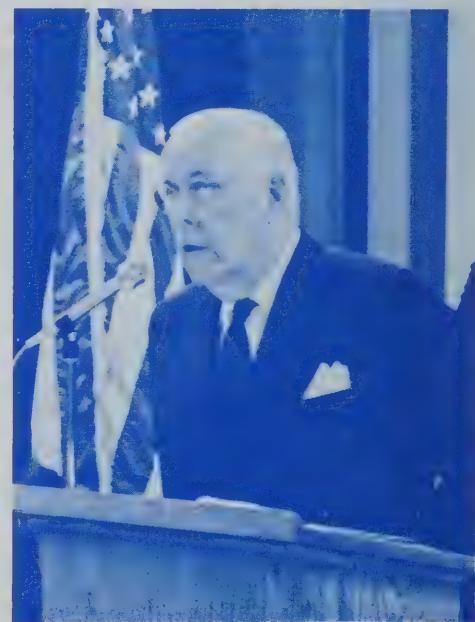
As we enter the Nation's Bicentennial Year, it seemed appropriate to reproduce in the Selectmen's annual report an address given a few years ago by Executive Secretary Emeritus Arthur A. O'Shea at a meeting of the Brookline Historical Society.

## 250 Years of Town Government in Brookline

By Arthur A. O'Shea  
Executive Secretary Emeritus

Muddy River, or Brookline, as it was to be later designated, was incorporated as a Town in Massachusetts on November 13, 1705. It would, of course, be extremely difficult to portray adequately the entire historical background of this community with its interesting developments in the field of government as well as the notable changes in its physical make-up over this extremely long period of 250 years. I thought, perhaps, that it would be more interesting at this particular time to trace that facet of its history dealing with the functioning of its government as a Town, to determine those factors that made our community unique — yes, that made it great — that made it a pattern of good government down through the years — a mecca for students of government from our leading colleges and universities. Lord Bryce, in his *American Commonwealth*, said, "Of the type or systems of local government, that of the Town, with its popular primary assembly, is admittedly the best. It is the cheapest and the most efficient. It is the most educative to the citizens who bear a part of it. The Town Meeting has been not only the source but the school of democracy." Thomas Jefferson, in referring to the New England Town Meeting, observed, "It is the highest invention ever devised by the wit of man for the perfect exercise of self-government and for its preservation."

That you might better understand the development of the Town government, let me point out that the early settlers in New England were accustomed to transacting all the affairs of the community in their parish houses or churches. The meetings were presided over by a Moderator, the title which was usually given to the President of a Congregational or Presbyterian Synod and which title is used to the present day for the presiding officer of the Town Meeting. It is interesting to note that the Charter of the Town contained an order that the residents be enjoined to build a meeting house



Arthur A. O'Shea

and obtain an able orthodox minister, the presumption being that there should be a meeting place to conduct the temporal and spiritual affairs of the community. In these early colonial times all business of the community was transacted in monthly or semi-monthly meetings of the Freemen or Townsfolk and as the Town grew this became impossible and the General Court in 1636 provided for the election in Towns of various officers for certain administrative purposes. These officials, to whom was delegated certain responsibilities, were referred to as Select Men — Selected Townsmen, "Ye chosen men appointed for managing the prudential affairs," hence the derivative of our present term, Selectmen. The Town government inaugurated in 1705 has been preserved down through the years to this generation.

Brookline's present Town Officers were elected to office in the same manner and perform essentially the same functions as those who were chosen in 1705 to stand as sponsors to the infant Town.

It will be recalled in reading early English history that it was the struggle of the common people with the Crown that secured individual liberty and at that time it was indicated that the price of its retention was — *eternal vigilance*. In England, and among us who inherit English traditions, local liberties are the reward of a long struggle for the conviction that the community itself must safeguard them. Outside interferences, incidentally, arouse opposition. This is the basis and essence of local self-government. This was the keynote of the early history of Brookline whereby its citizens banding together were able to defeat the ominous and persistent threat of annexation which cropped up first in 1870 and occasionally at the turn of the century.

In Brookline no man was too great to serve in some capacity to make his municipality a better place for mankind. This is the occasion to review our municipal career, its desperate struggle for its existence in the decade following the Civil War, its brilliant course following its overthrow of the combined effort more powerful than ever before known in Massachusetts, its swift adaptation to rapid advances and its ease in meeting the highest standard of civic attainment free from fraud or graft.

It might be interesting at this point to explain the derivation of the name Brookline. The first reference to the name appeared in the original grant where it was spelled as at present — Brookline. In 1715 it appears in the record again as Brookline, in 1716 as Brooklyn until 1746 when again the suffix appeared as I-i-n-e. In 1768 it again appears in the record I-y-n till 1777 when it became apparently fixed with the present spelling. Incidentally, during the Revolution, on maps of the fortification of British officers, its name appears both as Brookline and Brooklyn. Its precise origin is not known but it is explained that in the Dutch language there appeared Breuklen. The Irish had a suffix I-i-n-n. In Gaelic it was I-i-n-n-e and in the Welsh language the ending I-y-n, all meaning a pool, or collection of water.

Celebrated for its rural beauty and for its development of the most favorable conditions of home life, the Town has leaped to a position absolutely unique. The trust which the voters of Brookline have so well fulfilled affords the highest exemplification of the merit and the elasticity of the best form of local government known. In contrast to the sorry plight of many of our larger cities, it is refreshing to turn to Brookline, a community em-

bracing slightly over 6 square miles, surrounded on all sides by larger communities comprising the Metropolitan area, a community with its generous portion of comfortable homes, superior schools, public libraries, better roads and other municipal facilities.

Brookline, by some strange wisdom, is still a Town — one of the largest in the country, if not in the world. Its chief officers are the 5 Selectmen who are described in the By-Law as the prudential officers of the Town, the same designation that has remained uninterrupted since the Colonial days. In 1904, during the Presidential election, there were 4,240 registered voters. 3,550 of this number voted in a single voting place, namely, the Town Hall Auditorium. These were the horse and buggy days when voters came by carriage, by bicycle and on foot, ever conscious of their unfaltering devotion to their civic duty. Those in our present generation, with all its modern conveniences, are quite disturbed if the precinct voting facility is located more than a few blocks from their homes. In 1970 there were approximately 30,000 registered voters. In 1905 the population of the Town was approximately 24,000 and today it is about 60,000. In 1871 real and personal valuation amounted to \$20,000,000. In 1905 it was approximately \$66,000,000 but today it has advanced to approximately \$450,000,000.

Brookline has been a pioneer in many respects. It was one of the first communities in the Commonwealth to avail itself of the legislation authorizing public libraries. It was the first community to construct a public bath for the residents of the Town. It has nurtured its school system with a lavish hand until its school plant and facilities outrank most other communities.

The uncertainty of a Town Meeting is proverbial; but as the years progressed, in spite of occasional errors, the people constantly sought the best in governmental service which has been difficult to surpass. The city man, accustomed all his life to a paternal City Council and who moves to Brookline, does not always appreciate, nor avail himself, of his Town Meeting privileges and duties and it is this slight indication of indifference or apathy that should be our greatest cause for concern.

One of the early citizens who contributed to the development of our Town was the Honorable Samuel Sewall for whom Sewall Avenue was named. He was Chief Justice of the Province of Massachusetts Bay. Born in England, he came to New England in 1661, was a member of the Council under the Provisional Charter, 1692-1725, one of the Assistants under the Colonial Charter and, ex-officio, a Judge of the Supreme Court. He was later appointed Judge of the Superior Court in



## Brookline Town Halls – Past .

*First Town Hall, 1825*



*Second Town Hall, 1845-1872*



*Third Town Hall, built 1873*

... Present



Present Town Hall, built 1964

1692 and its Chief Justice in 1718. He was a Resident Fellow and one of the Board of Overseers of Harvard College. His home in Brookline embraced over 350 acres extending from Harvard Street to the Charles River, his home being near the present site of the Sears Chapel. He died January 1, 1730. There have been many other outstanding citizens of the Town in later generations who were most generous in their devotion to the local community and gave unstintingly of their time and interest to public office and committees.

Most of the large estates in Brookline have been subdivided which has changed the financial rating of the community from the richest town in America to second or third place. This was due to the fact that the large estates paid relatively heavy taxes and required little in return from the community in the way of public service such as schools, fire and police protection, ash and paper collection, lighting and the usual governmental services. When we reach the saturation point of development Brookline can advance only through a well-planned program of reconstruction of those areas which have, due to their age, declined in valuation.

Is it not reasonable to ask ourselves the question, "How long can Brookline hold on to its rich tradition and heritage?" Will the public spirit and self-restraint in Brookline be long upheld under the present system by thousands of new citizens or must Brookline accept the fate of the average American city? Let us, therefore, focus our attention on the development of the last fifty years when the Town government has been tested to a degree unknown before. The elasticity of the Town government, fortified by Brookline's characteristic attention to systems, to supervision and to accounting, has enabled the Town to grasp its unique situation and to advance with unprecedented success.

We who are associated with municipal government may feel for a time that the reins are firmly in our grasp only to discover that each year with the advent of the Town Meeting, the scrutiny of the Advisory Committee, that we are called upon to give an account of our stewardship. This is the answer to good government — a generous participation of the citizens, a watchful supervision of the municipal functions by men and women of character and ability.

Perhaps in the years ahead, as was necessary in 1915, when the Town adopted the limited Town Meeting, we might be called upon to make some modification in our governmental administration, to adapt it for more efficient accomplishments.

Let not those who are to follow in our footsteps lose sight for a moment of the traditions which

have made Brookline different. Let us hold on to the basic tradition of Town government and hold high the torch indicative of the trust that has been so firmly established over the years.

In conclusion, may I again allude to my opening remarks when I referred to the English admonition that eternal vigilance is the price of freedom. The seed of good government has been planted deeply in the traditions of our Town, and to posterity may we say, "Let history repeat itself."

### Bicentennial Activities

During the past year, the Bicentennial Commission has made considerable progress toward carrying out several of the projects outlined in the 1974 Annual Report, abandoned one of its projects, and added two new ones.

On the matter of the commemorative map, thanks to the superb efforts of Mr. John Furlong, consultant to the Planning Board, and with the much appreciated assistance of Mrs. Bertram K. Little and several members of the Commission, the map is now out for quotations. The expected format will be like that of a road map. One side of the booklet will be the map, indicating the terrain, progress of roads in the town from its early days to present, and identification of historic sites. The other side will have reprints of historical notes, personal reminiscences, and an unusual 1898 guide to Brookline.

The historic landmark sign project continues to be in the talking stage. Efforts are now being made to have a group of local professional artists develop designs for such signs. The object of the sign program is to provide a welcome and eye-catching introduction to Brookline at each of the main roads into town. Assuming that designs can be developed that can be fabricated at a reasonable price and that the Department of Public Works will be in a position to assume responsibility for installation of such signs, the Selectmen and the Bicentennial Commission feel confident that this type of activity will enhance the beauty and dignity of Brookline.

Regrettably, the Commission found it necessary to abandon the idea of providing a Bicentennial park for the town. In spite of much effort to inspire a gift of a suitable parcel, the Commission was unable to do so. The cost of adequate acreage would be prohibitive. Accordingly, the Commission reluctantly — although realistically — decided not to devote more time to that project.

A new venture, though, that has fired the Commission members' imaginations is the possibility of

participating in the establishment of a town museum. They intend to seek the cooperation of the Brookline Historical Society and the Historical Commission in this regard. There are many problems that must first be resolved before any definite plans can be formulated. In essence, though, if the Trustees of the Museum of Transportation are successful in their present fund-raising efforts for their new joint venture with the Children's Museum, and if they are willing to dedicate the basement of the Carriage House at Larz Anderson Park, it is conceivable that Brookline will one day have its own museum. At the suggestion of the Director of the Transportation Museum, the Commission is informally pursuing plans for program design, operating budgets, and policy control.

Mrs. James McIntosh, a member of the Commission and a teacher at Lawrence School, has supervised the production of a unique coloring book by children in her third grade class. Drawings and text tell the story of a little mouse, who comes to Brookline, visits all its sites, and is happy to tell the world about his travels through the town. Funds are now being sought for production costs.

June 19 and 20 have been designated for a program of festive activities at Larz Anderson Park. Those dates coincide with June 22, the anniversary

of submission of a petition for town incorporation. The activities, which will be under the aegis of the Park and Recreation Commission, will include band concerts, children's theatre, sporting events, games and contests, golden age family affair, cookouts, carnival, hayrides and fire engine rides. Efforts are being made to provide an outdoor art exhibit.

The historic update work goes on apace. Before the end of 1976, when the Commission will discontinue its existence, it will present the town with a written, oral, and visual historic update from 1933, when the last definitive history of Brookline was completed.

The Bicentennial art exhibit that was shown in many of the shops in the Coolidge Corner area this past autumn was a great success. The town's thanks go to the artists of Brookline who provided the works that were displayed and to those merchants of the town who provided space for the exhibits.

The Commission still welcomes the support of all citizens of Brookline who would be interested in helping them carry out their various projects, so that Brookline's contribution to the Nation's Bicentennial will be of lasting and significant value.



Carriage House at Larz Anderson Park

# EXECUTIVE SECRETARY

The Advisory Commission on Intergovernmental Relations (ACIR) was created by the Congress in 1959 to monitor the operation of the American federal system and to recommend improvements. In addition to dealing with the all-important functional and structural relationships among the various governments, the Commission has also extensively studied critical stresses currently being placed on traditional governmental taxing practices. As part of its continuing research on fiscal federalism, ACIR believes it is useful to determine public attitudes on major governmental fiscal issues. Four major findings emerged from an analysis of the latest ACIR public opinion poll on taxes, governmental performance and general revenue sharing conducted during 1975:

- The Federal government was selected by a clear margin as the level of government that provided the most for the tax dollar. This marked a turnaround from last year's results which showed all three levels of government about on a par.
- The Federal income tax and the local property tax draw about equal fire as the worst or least fair taxes. This pattern has remained fairly stable for the last three years.
- The revenue sharing program was again strongly supported by public opinion, but by a smaller margin than last year. Almost one quarter of those queried had "no opinion" when asked if they approved or disapproved of this Federal aid program.
- An overwhelming proportion of national opinion holds the view that the general level of governmental services and taxes to finance them should be kept about where they are or decreased. A very small minority of a cross-section of the American public subscribes to the view that governments should "increase services and raise taxes."

The number of Americans who believe that they receive more for their money from the Federal government than they do from state or local government rose sharply from 29 percent to 38 percent in the past year. This may be attributed in part to the fact that the Federal government enjoys certain fiscal advantages over state and local governments, particularly in periods of recession. Because of its ability to engage in deficit financing, only the Federal government is in a position both

to expand its spending and cut its taxes. In sharp contrast, many state and local governments have to take highly unpopular action — either increase taxes or decrease services, or both. This year's poll regained for the local property tax, by a small margin, the dubious honor of being considered the least fair of the major Federal, state and local taxes. For the past three years, including 1975, it has been practically a stand-off between the Federal income tax and the local property tax.

ACIR introduced a new question in its 1975 polling in order to give policy makers at all levels a reading as to the public attitude on the general issue of spending and taxes. The response was clear and unmistakable — hold the line or retrench. Regardless of perspective — sex, age, education, occupation, location, income level, family status and race — 70 percent or more of the respondents in each category favors a halt to further expansion of services and taxes at this time. At a time of economic recession and the resulting uncertainty for individuals and families, it might be expected that respondents would desire to cut back or hold the line on government spending and taxes.

## Background of Brookline's Fiscal Crisis

Over the past five years the town's total tax levy has increased 45.3 percent with most of the additional revenues required being raised on the tax rate inasmuch as the town's assessed valuations increased only 2.03 percent over the same period (Figure 1). Figure 2 depicts the totals of town expenditures, receipts and amounts raised by property taxation over the period 1970 - 1976. The overall fiscal trend is quite clear — the "expenditure gap" i.e. the difference between expenses and receipts, has increased 45 percent, indicating that the increase in local receipts has been of little help in offsetting the drastic negative trend in the relationship of state, county and MBTA assessments to state aid. Thus, much of the increase in expenditures which had to be assumed on the tax rate, now \$84 per thousand dollars of assessed valuation, has been due to the worsening fiscal relationship between the town and the state. From a substantial surplus position in 1966, 1967 and 1968, our status has now been radically altered to the extent that in FY 75 the town's assessments from the state, county and MBTA exceeded by \$2.4

million the amount received under the current aid distribution formula (Figure 3).

I would now like to review the major local elements in the town's \$42 million budget, which amounts to \$800 per resident for town services, with two-thirds of the town's operating budget being attributable to employee wages and fringe benefits. As Figure 4 indicates, during the past ten year period which corresponds with the period of formal collective bargaining, the increase in the total number of full-time employees has slowed and begun to reverse. It is interesting to note that the percentage salary increases have reflected exactly the increase in the cost of living over the same span (Figure 5); however, as the annual percentage increase is compounded on the previous year's salary, employees now receive 90 percent more than in 1966.

The town's dollar share of employee group insurance as provided for FY 77 will have increased by 1,000 percent over the ten year period. This trend is clearly depicted in Figure 6. The town had formerly assumed 50 percent of the premium cost for this benefit, but the share was increased to 75 percent in 1970 as a result of collective bargaining. The costs of the contributory retirement system, which has been the subject of considerable publicity lately, will have increased almost five fold, although non-contributory pension costs have remained fairly stable (Figure 7).

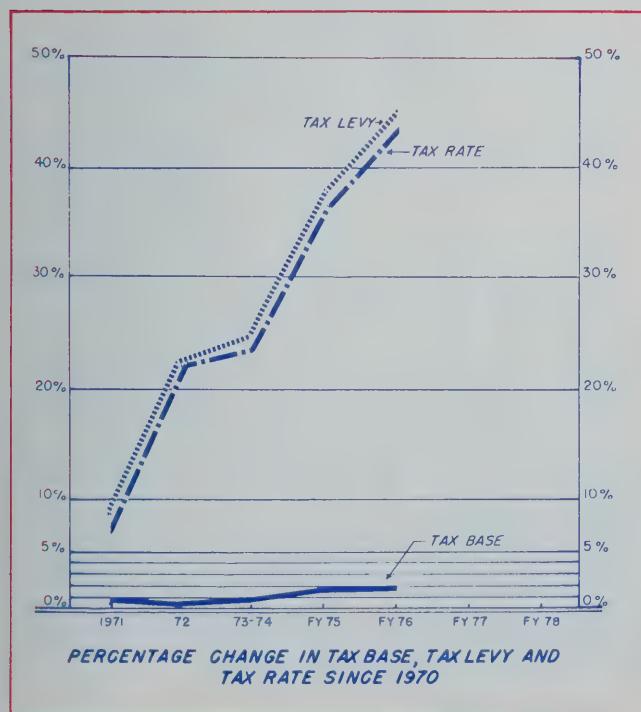


Figure 1

Inasmuch as the total cost of the aforementioned fringe benefits relates in large measure to the number of town employees, we have ranked Brookline with six comparable communities in the per capita number of non-school employees. It is highly significant, as shown in the table below, that the town is first in the areas of police, fire and library, fourth in all other services, with an overall ranking of second.

#### RANKING OF SEVEN COMMUNITIES IN NUMBER OF EMPLOYEES PER CAPITA (NON-SCHOOL)

	Police	Fire	Library	All Other	Total
BROOKLINE	1st	1st	1st	4th	2nd
Arlington	6th	7th	2nd	3rd	3rd
Cambridge	2nd	2nd	4th	1st	1st
Framingham	5th	5th	3rd	6th	6th
Malden	4th	4th	5th	7th	7th
Newton	3rd	3rd	7th	2nd	4th
Somerville	7th	6th	6th	5th	5th

As we approached the FY 77 budget preparation period, the consumer price index was 7.3 percent higher than a year ago. That reading indicated a cooling from the 1974 increase of 12.2 percent which was the highest rate of increase in 28 years and followed an extraordinary 1973 increase of 8.8 percent. Inflation had been cooled somewhat but was still serious and the cooling had been accompanied by a high rate of unemployment and high interest rates. Thus the well-publicized dilemma of local and state governments — increased costs for all categories of operating expenditures, particularly electric, fuel and telephone charges, coupled with difficulty in obtaining new or expanded revenue sources. Inevitably, these circumstances have led many communities throughout the country to a painful but necessary contraction in programs in order to maintain solvency. Brookline has been no exception.

#### Effective Utilization of the Program Budget Process

In the interest of meaningful budget review, the town converted to a program budget system for FY 75. The first two years of program budgeting were chiefly devoted to identifying program costs and to comparing and evaluating the relative merits of many ongoing activities; however, it was difficult, as expected in that early stage in the process, to redefine priorities, finalize value judgments and achieve significant cost savings — the main goals associated with the budget conversion. Only too often did preparation of the former line-item, object-of-expenditure type budget entail simply adding a "reasonable" increase to the prior year's budget in order to arrive at a new budget request, thus usually failing to determine in any formal way whether the services were still needed

Figure 2

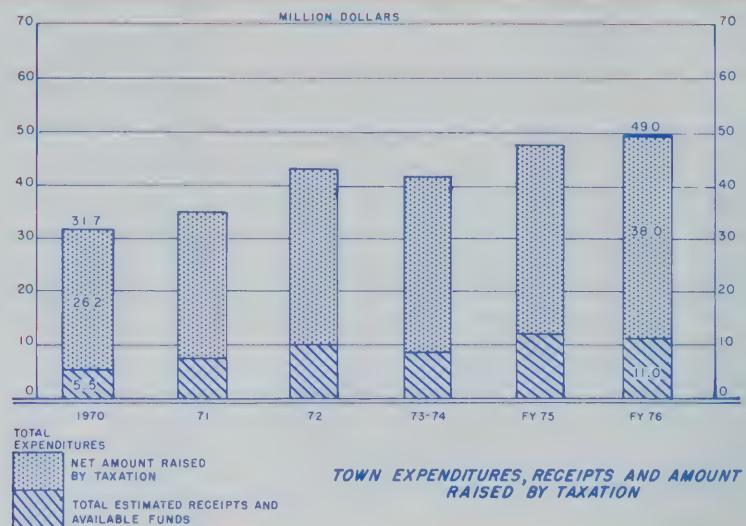


Figure 3

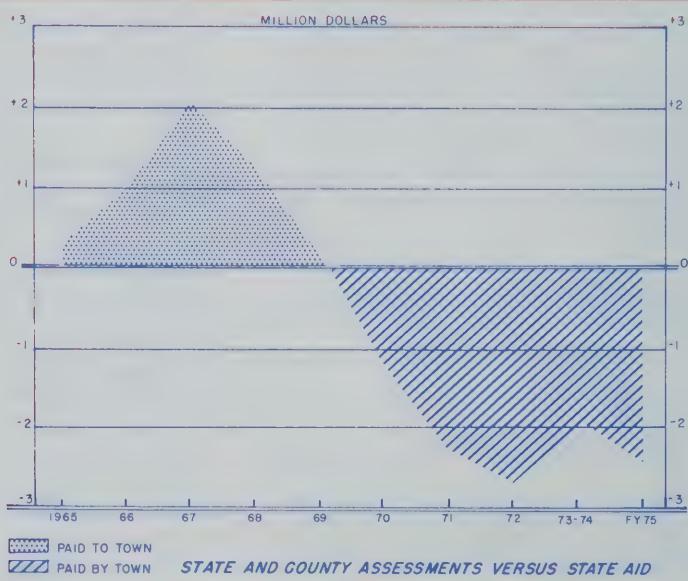


Figure 4

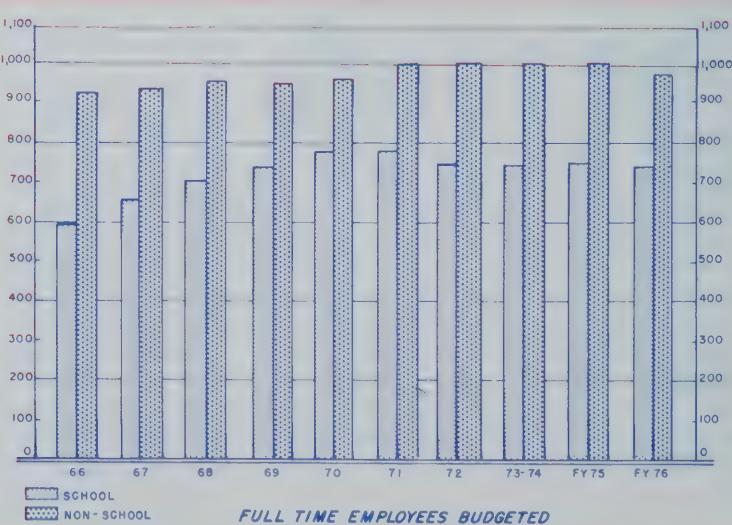


Figure 5

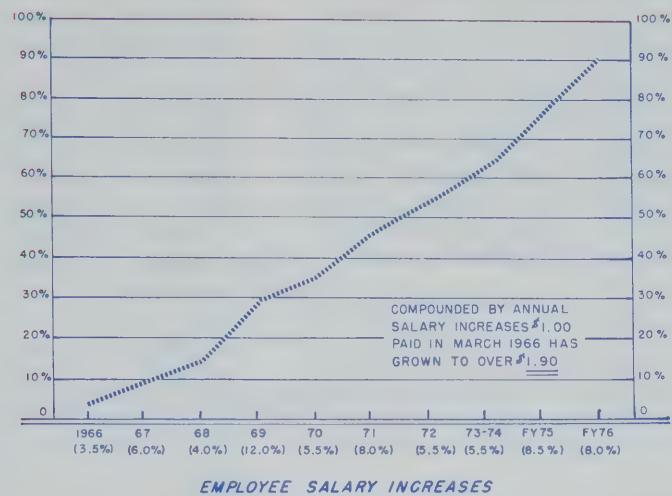


Figure 6

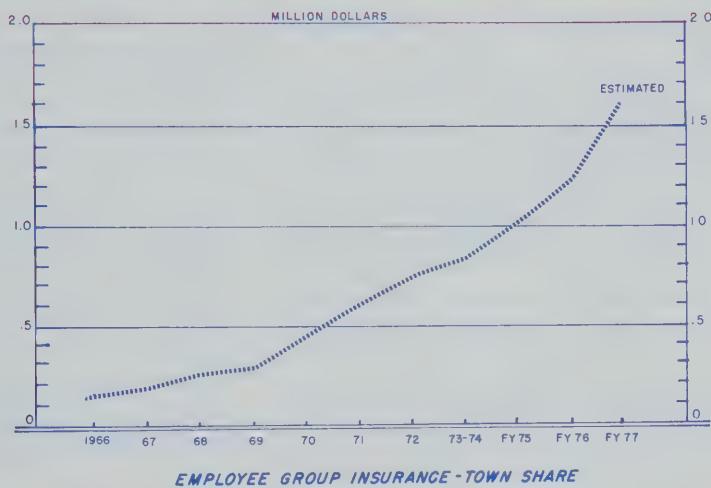
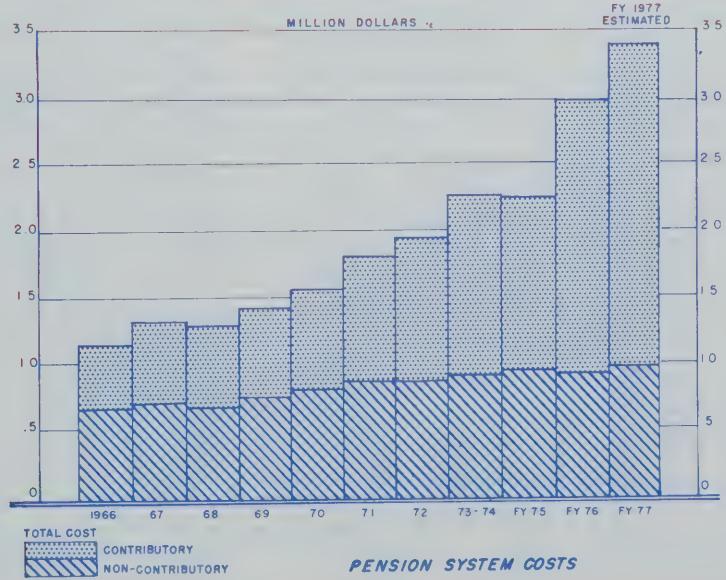


Figure 7



by the town. Program budget preparation and review for FY 77, on the other hand, has been characterized by deliberate consideration of program purposes, anticipated outputs, and activity costs within the departments. Accordingly, it has been possible to compare the costs and benefits of the various sub-programs and elements, thus facilitating the task of choosing priorities, assessing the impact of required budget cuts, and developing overall budget recommendations.

The total amount of departmental budget requests for FY 77, exclusive of schools, was \$29,495,482 or slightly over 6 percent above the FY 76 appropriation level. This sum included the following major items of increase which are beyond the control of the Selectmen and the Executive Secretary to affect:

● Contributory pensions	439,244
● Group insurance	411,000
● Workmen's Compensation	79,332

Faced with this substantial proposed increase — \$1,694,543 — which represents \$3.74 on the tax rate, and with retrenchment in the operating budget clearly indicated, the Selectmen held a budget briefing for all boards, commissions and department heads on January 7, 1976. At that time Chairman Cochrane reminded those present of the strong citizen resistance to increasing tax rates and that substantial increases were projected in costs beyond the town's control, including the MBTA deficit and pension and employee group insurance costs. Additionally, the town faced probable expiration of Federal revenue sharing funds. Other members of the Board stressed the significance of the negligible increase in assessed valuations, the need for changes in some aspects of collective bargaining, enhancing the effectiveness of the town's participation in the budget deliberations of the Norfolk County Advisory Board, and supporting efforts aimed at halting the enactment of legislation affecting municipalities unless such measures are state funded or consented to locally. The Board concluded that hard decisions would be required during the annual budget review process to both reduce services and expect more productivity from present resources. This spirit prevailed over the past several weeks.

The administrative staff's primary objective was to absorb the substantial increases in the fixed costs referenced above and not significantly increase the town's overall budget. It was apparent that major cuts would have to be made in non-essential services. To that end a very critical look was taken at all departmental programs which were characterized as follows:

*Essential* — current level of service is absolutely necessary to the functioning and overall welfare of the town. Funding based on continuing the service at the current or even an increased level. Service may be required by statute or bylaw.

*Desirable* — Current level of service or activity is most worthwhile to the town as a whole. Funding based on continuing the service or activity, but at a lower level, in an attempt to absorb the effects of inflation and increased costs of personnel. Service may be required by statute or bylaw.

*Optional* — Service or activity is not required by statute or bylaw and may often be designed to accommodate and/or support a specific group or facility. Consideration should be given to substantial reduction in, or even elimination of, funding.

Also, it was recognized that the number of permanent employees of the town would have to be gradually reduced and greater productivity expected from all other employees. Our goal was to eliminate 50 full-time positions, through attrition if possible, equivalent to 5 percent of the non-school work force. A hard line was taken with respect to all overtime requests and approval was granted only in those areas where overtime payments are absolutely necessary. Overtime for the sake of convenience is no longer an acceptable budget request.

Energy conservation programs instituted by the various departments made it possible to offset an electric rate increase of 12 percent granted in the fall of 1975; proposed telephone equipment reductions at Town Hall and the establishment of tighter administrative control of toll calls and calls generating substantial extra message units partially offset the 15.2 percent telephone rate increase approved last November. Other contractual services and supplies were held at the prior year's appropriation or expenditure level unless those amounts were clearly out of line with minimum requirements. In other words, there was no factor built in to accommodate inflation. A number of marginal budget items were either eliminated or markedly reduced including: (1) in-state travel and association meetings, (2) office equipment service contracts, (3) the street listing procedure, and (4) replacement of town passenger cars in order to realize a reduction in the overall fleet as recommended in an administrative staff report submitted early last year.

We were also aided by reduced appropriation levels in the areas of funded debt, miscellaneous interest, and property insurance premiums. Finally, a major policy decision to transfer the medical, hospital and nursing home costs pres-

ently incurred by recipients under the Veterans' Services Program to the Medicaid Program, which requires no town appropriation, resulted in a savings in excess of \$200,000.

All of the foregoing efforts during the Executive Secretary's and Selectmen's budget reviews resulted in a budget reduction of over \$1.5 million from departmental requests and brought operating budgets — excluding mandated increases — to a level 3.3 percent below last year's comparable figures. A principal item in this budget reduction

was \$395,057, the payroll savings realized by eliminating 34 positions. There will be associated savings in fringe benefit costs. Even when the uncontrollable mandated increases described above were added in, as they must be, the overall budget under the jurisdiction of the Selectmen reflected a total increase of only \$34,036 over the amount appropriated for the present fiscal year. In terms of a percentage increase, this is the smallest in recent history — 12/100 of 1 percent.

## Toward Better Management In Government

Government has grown to be the nation's largest business and largest employer. In the past decade the number of government employees has doubled to nearly 13 million. At the same time, the cost of government has also doubled to about \$250 billion a year or 22 percent of the gross national product, yet this doubling in size and cost has not produced top value. Economy of scale has not worked because government is not being managed as effectively as it should be.

Few managers in government today have to be convinced that their organizations must become more productive. They have no choice. But trying to agree on how to be more productive is illusive. Is the answer tighter controls? Is it more sophisticated applications of program or performance budgeting and systems analysis? The most important step towards greater productivity is to improve government administrators' command and use of sound management principles and skills. This will impact heavily on the problem and help implement some other useful techniques.

How can this be done? As has been stressed so strongly in the past, town service must be made attractive to skilled personnel at the higher levels. To that end we should remain dedicated to the proposition that our salary structure must be competitive with private industry's, and opportunities for systematic advancement and greater fulfillment in terms of career development made available. Such a course is imperative as the administration of local government becomes more complex and challenging, particularly because of the various social and economic changes that are being affected. The executive and department head of today must possess more than uncompromising integrity and dedication to a high standard of performance; they must have a breadth of knowledge and sophisticated understanding of urban society far greater than those who preceded them.

We must get rid of the notion that managers and administrators in the public sector are inferior to those in the private sector. They are at least as good as the managers of industry, but unfortunately they suffer from unfair comparison. Managing a city or town government cannot and should not be compared to managing a plant or a profit-making company, yet there are areas of similarity. The differences between public and private management should be reflected in the details of planning, organizing, motivating, controlling — not in the fundamental commitment to those functions.

### Management by Objectives

Now on to a related subject — management by objectives. Management by objectives is a way of getting improved results in managerial action. It is not an addition to a manager's job but rather a way of doing it. It is based on observations of what successful executives do in both public and private sector organizations. It relates to several key problems in managing an organization:

- Identifying what is expected in terms of results — both organizationally and individually.
- Obtaining teamwork by identifying organizational and departmental missions.
- Programming work by setting terminal dates for tasks.
- Recognizing progress by comparing actual results to planned results.
- Improving control by shifting from control over people to control over results.
- Reducing the amount of time necessary to effectively manage a department.

In its briefest form, management by objectives can be described as a managerial system whereby the superior and subordinate agree upon the subordinate's major result areas, define objectives, and measure results against those objectives.

tives. A government's true excellence is measured by its outputs, not by the resources required to produce these outputs nor by the process that was followed to produce them. This means that once organizational purpose has been identified, the place to start analyzing or building a management system is with its outputs or results. It is not until the results are defined that we can specify how we are going to reach them and in what activities we will need to engage or what resources are going to be required.

It is essential that administrators and department heads formulate objectives; they must specify the nature of the system's results and then manage with these goals in mind. This approach differs from traditional management strategies simply by placing emphasis on results rather than on the activities or resources required to achieve those results. The distinction between them is illustrated by examining two different descriptions of an administrator's job. One is the traditional job description — an enumeration, often in great detail, of what the job holder does. The other, a specification of objectives, enumerates what results will be achieved, what will happen. It is the latter that provides the basis for a true management system which effectively utilizes the human resources of the organization.

Management by objectives, then, helps yield better results, lower costs, improved productivity, more

effective delivery of service, and the development of subordinates' best abilities. In Brookline an important component of this process is the program budget with its stress on departmental goals and objectives and the collection of activity/output data. The effectiveness of this management tool has been illustrated earlier in this report. It provides strong support for the conclusion that what the public sector really needs are skilled managers and department heads who can develop long range plans and objectives and translate them into individual definitions of responsibility with built-in yardsticks.

Finally, there is the matter of motivation and the underlying tool of supervision. Motivation is within the performer and is helped by those already mentioned definitions and yardsticks of responsibility, but it really depends on the skill and understanding of supervisors. The whole process will be only as good as the supervision. Most people want to do a good job, but they are not completely independent, perfectly disciplined creatures who perform well in all circumstances, particularly in a system that pays as much for not performing as for performing. The whole thing comes down to this — the fundamentals of management must be instilled in every individual and practiced in every individual job. An organization which achieves this will automatically get improved productivity, more so than from any other effort.

# TOWN MODERATOR



The Moderator is elected in a town wide election for a term of three years and is charged with conducting the Town Meeting and appointing two important committees — the Advisory Committee (Finance Committee), of 30, and the Committee on Town Organization and Structure, as well as special committees that may be created by votes of the Town Meeting.

#### *Criteria for Committee Appointments*

The importance of the Moderator's committee appointments was emphasized recently in this question sent to him by The League of Women Voters: "What do you feel should be criteria for appointing people to the Advisory Committee?" Here are excerpts from the Moderator's reply:

"Since there are customarily over 40 Advisory Committee meetings a year, of either the full committee, or sub-committees which require the attendance of appointees, service on the Advisory Committee requires not only civic dedication, but an ability to meet a demanding schedule. One of the Town Bylaws vacates the position of any Advisory Committee member who has had seven absences in one year. Experience in town affairs and/or in those specialized fields that would provide new and important resources for the committee and assist in its work, are the principal qualifications the Moderator seeks in appointing members to the Advisory Committee. It is important to

draw equally on the talents of both men and women of the Town, to make certain that all significant points of view, political positions, and segments of the community be fairly represented on the Advisory Committee. The Committee should have all the necessary input to assure that, in its final report to the Town Meeting, it has taken into consideration all aspects of the issues of the Warrant. Because the Advisory Committee chooses its own chairman, the Moderator must keep in mind potential leadership qualities as one of the criteria for at least some of the appointments."

#### *Innovations, Changes During Past Six Years*

For the past two years, the Moderator has sent a questionnaire to all Town Meeting Members in order to determine their interest in serving on committees and to provide as much background as possible to enable him to make more knowledgeable appointments. This is one of several changes and innovations instituted to strengthen this basic grass roots form of democracy to make it as relevant and flexible as possible. The thrust of these innovations has been to enable greater participation on the part of more Town Meeting Members in Town Meeting affairs and to encourage greater understanding and interaction between Town Meeting Members and the voters of the Town.

Other changes and innovations include:

1. An annual indoctrination session on Town Meeting procedures, through the cooperation of the Town Meeting Members' Association, for new members, and as a refresher course for existing members; to make certain that everyone knows how to present their wishes before the Town meeting.
2. Conference hours with Town Meeting Members, scheduled by the Moderator before each Town Meeting so that everyone has an opportunity to consult in advance and to receive assistance in the presentation of votes and motions.
3. A Moderator's Shelf, displayed and available for a number of weeks in advance of each Town Meeting at all of the Town's public libraries, containing detailed information and department budgets that were normally restricted to only a few Town Meeting Members.
4. The complete taping of all Town Meetings. These tapes are available to all citizens at the main library.
5. Roll call recorded votes, introduced by this Moderator, taken at the option of Town Meeting Members. The roll call vote was used once this year for Article 1 of the May 14 Special Town Meeting relating to the construction of the new Lincoln School, and is printed in Part II of the Annual Report.
6. A regularly scheduled Fall Town Meeting, to more evenly distribute the work load throughout the year, endorsed and agreed upon by the Selectmen.

#### *More Flexibility, Greater Citizen Participation*

The provision of a looseleaf notebook form of the combined report from the Advisory Committee and Board of Selectmen was instituted at the November Town Meeting, following a study by the Committee on Town Organization and Structure, at the request of the Moderator, and after endorsement by the Town Meeting Members' Association. This provides even greater flexibility and the ability to update information to members of the Town Meeting. The introduction of and updating of warrant articles on short notice has been further facilitated by the increased use of "Town Meetings within the Town Meeting." The accessibility of this information, and of the Moderator for conferencing, has resulted in the participation of many more Town Meeting Members as well as citizens of the Town (whom the Moderator has welcomed to address the Town Meeting when time permits).

This additional interest in participation has created an increase in demand for time to speak at the Town Meeting. With the cooperation of the Town Meeting, and with the careful application of time limitations for speakers established in advance, the Moderator has been able to substantially increase the number of people addressing the Town Meeting, and yet maintain the continued attention of Town Meeting Members. The attendance figure during the past annual meeting ranged from 200 to 252, an unusually fine record compared to those of other towns in the Commonwealth.

Recommendations of a Moderator's committee two years ago, working in conjunction with the Moderator and with the cooperation of the Executive Secretary, resulted in the inclusion in the Annual Town Report of the report from the Moderator, highlights of Town Meetings, and a brief digest of all actions taken. Names and addresses of Town Meeting Members and their attendance records are also included in this report along with telephone numbers, making Town Legislators more accessible to the voters (another innovation).

The Moderator congratulates the Town Meeting Members' Association for publishing a Town Meeting Members' Handbook, and was pleased to work with them on this valuable project. The book includes all of the rules of procedure established by the Moderator over the past six years, and was distributed to all Town Meeting Members before the 1975 Annual Meeting.

#### *Moderator Calls For Reconsideration*

After a review of the tapes of the November Town Meeting, the Moderator determined that much information which should have been available to Town Meeting Members regarding correction work to be done at the new Pierce School was not available. At his request, with the cooperation of the Board of Selectmen, reconsideration of the Article was arranged at the next Special Town Meeting in December. In addition, all relevant and detailed material was mailed out in advance to the Town Meeting Members.

The Moderator feels that it is his duty to continue to attempt to bring all relevant information to the Town Meeting, but not in any way involve himself in the merits of the issue. With the cooperation of town boards and citizens' groups, the Moderator will continue to review the types of information and methods of visual presentation to be made available to Town Meeting Members on key and complex articles for completeness and clarity, so as to make certain that the Town Meeting has had available to it all of the information to which it was

entitled and in the form it needs to make a knowledgeable decision.

As mentioned in the Town Meeting highlights report to follow, it was particularly gratifying to have one of our former Town Meeting Members, his excellency Governor Michael S. Dukakis, appear before the Town Meeting at its opening session and, after his election, to acknowledge that this is where his participation in democracy in government began.

The Moderator wishes to thank Mr. Roy F. Kelley and the High School Concert Choir for the wonderful performance just prior to the opening session of the Annual Town Meeting. This is the second year the Moderator has introduced the Town Meeting Members to a different segment of High School student activity at the beginning of the Annual Town Meeting.

The Moderator also wishes to thank, on behalf of the entire Town Meeting, Edwin Benet, John Benet, Lorenzo Benet, Maria Benet, Richard Close, Stephen Cutler, Jeff Goodman, Amy Greenberg, Donald Isaacs, Tony Langerman, Wilson Liu, Karen Maginnis, Julie Muse, Tony Page, Debbie Piltch, Richard Piltch, Carol Ann Rosenberg — all members of the High School Key Club — for their assistance in handling the portable microphones at the various Town Meetings this past year. It has always been gratifying to see the interest of the High School students in local government.

The following special committees were appointed by the Moderator during 1975, in accordance with votes of the Town Meeting:

#### *Committee on Subsidized Housing*

Robert Weinberg, Chairman

Dorothy Bruno	Louise Castle
Mary Jo Dow	Allan Drescher
Lillian Freedman	Henry Kohn, M.D.
Elaine Koretsky	Richard Litner
Esther Maletz	Gretchen Mamis
Sam Mintz	Theresa Morse
Louis Novakoff	Brian Oper

#### *Committee on Street Crime*

Carl M. Sapers, Chairman

Robert Abrams	Joan Fried
Barbara Hanson	Stanley Kantor
Sheila Kaplan	Tania Langerman
Dr. Norman Lenson	Joel Weinberg

The Town Meeting vote for a study committee on the future of the Redevelopment Authority was referred by the Moderator to the Committee on Town Organization and Structure, the members of which are:

Samuel E. Shaw, II, Chairman

Adrian E. Bessey	Mrs. Ellen S. Heller
Robert C. Berner	Alan R. Morse
Benjamin H. Lacy	

# TOWN MEETINGS

## HIGHLIGHTS

### 1975 Annual Town Meeting

Town Moderator Justin L. Wyner convened the 1975 Annual Town Meeting on the evening of April 29, the first of eight sessions. The invocation was delivered by Rabbi Irwin Blank of Temple Ohabei Shalom.

The Moderator welcomed Governor and Mrs. Michael S. Dukakis, noting that it was the first time that the Brookline Town Meeting had had the honor of being addressed by the Governor of the Commonwealth. The Moderator presented to the Governor the following Resolution, which had been adopted at the November, 1974 Special Town Meeting:

#### A RESOLVE TO MICHAEL S. DUKAKIS

The history of Brookline has been enhanced by a new chapter in that one of its former Town Meeting Members and representative to the Great and General Court has been elected Governor of the Commonwealth.

#### NOW, THEREFORE, BE IT RESOLVED

That the Brookline Town Meeting Members unite in honoring Michael S. Dukakis. His career has left a significant imprint on the people of Brookline and the entire state he has served so faithfully and capably for many years. He brings to the Governorship the highest ideals and standards as well as a deep understanding of and respect for the political process. His election to this office of national prominence gives us great satisfaction and pride.

We congratulate Governor-elect Michael S. Dukakis and his family, with the knowledge that his administration will be one of distinction and accomplishment.

Town Clerk Thomas F. Larkin recorded 252 out of a total of 257 members qualified to act at Town Meetings. It was the highest attendance of the eight sessions of the Annual Town Meeting held in the High School auditorium. The lowest was recorded on May 7, the fourth session, when 200 members were present. The redistricting of the precinct lines as of January 1, 1974, reduced the total number of Town Meeting Members from 274 in 1973, representing 12 precincts, to 262, representing 16 precincts, with 22 at-large members.

In future Town Meetings the number of Town Meeting Members at-large will be reduced to 11 because, after considerable debate, the meeting voted to amend the bylaws relating to Town Meeting Members at-large by eliminating chairmen of boards and commissions. This amendment becomes effective March 31, 1976.

In his introductory remarks the Moderator reviewed the established procedure since 1970 of holding a regular fall Town Meeting each year to consider such matters as legislation, bylaw amendments, and zoning bylaw amendments. He urged the cooperation of Town Meeting Members in adhering to this policy insofar as possible in the future, noting the number of such articles in the warrant for the Annual Meeting. The Moderator asked for the sense of the meeting with respect to the question of referring these articles back to the Selectmen for inclusion in the warrant for the fall Town Meeting; however, agreement was not reached on referral of all the articles in this category, and it was determined to proceed with the warrant as presented.

In accordance with the customary procedure, Robert C. Cochrane, Jr., Chairman of the Board of Selectmen, presented a statement on the financial condition of the Town and announced an estimated tax rate for FY 76 of \$82.50 per thousand of valuation, or an increase of \$2.50 over the previous year. He emphasized that the projection was made without benefit of the "Cherry Sheet" and before collective bargaining, and that it contemplated utilization of \$1,000,000 from Revenue Sharing funds, and \$1,000,000 from "Free Cash."

The Moderator in his traditional fashion, read through the 50-article warrant ranging in subjects from school projects and the community development program to building code and bylaw amendments. Those not held for debate or requiring further information were voted first.

The Personnel Board reported that it could offer no recommendation on the results of collective bargaining for the contract period commencing July, 1975, since negotiations were still in progress. Accordingly, no recommendation with regard to a general salary adjustment or fringe benefits could be considered.



*"Town meetings are to liberty what primary schools are to science; they bring it within the people's reach . . ."*

... De Tocqueville, *Democracy In America*

Continuing a procedure established in the last few years, the Selectmen and Advisory Committee had conferred on the various budget recommendations and, with the exception of a few areas, were in agreement. The budget items at issue involved the Police Department, Health Department, Veterans' Services, and Travel Outside of State. The issues were debated in full with the Selectmen's recommendations prevailing with respect to the police car replacement program and the retention of medical consultant services in the Health Department. Town Meeting supported the Advisory Committee's position that funds not be made available for veterans' quarters and that out-of-state travel allowances not be provided at the same level as last year.

Action on the five articles relating to the new Lincoln School was taken at a Special Town Meeting on May 14, to ensure meeting the timetable to qualify the project for state aid. The undertaking of an enrollment projection and planning feasibility study of the Driscoll School was approved.

Town Meeting ratified and approved the action of the Selectmen in applying for and expending FY 75 Community Development Act funds in the amount of \$1,180,000, subject to certain limitations, including a condition that no 1975 Development Act funds be expended for code enforcement in the Central Village area until a loan or grant program is established to assist affected home owners.

Funds were also appropriated for the purpose of employing an independent accounting firm to conduct an audit of the financial records of the Town and perform related services. In making this recommendation, the Selectmen's Committee on Financial Management noted that the State Bureau of Accounts is unable to conduct audits on an annual basis. Brookline is the first major municipality in Massachusetts to pursue this course, and it is anticipated that communities throughout the state will do likewise within the next few years.

A lengthy debate ensued on the question of expanding the Town's emergency medical services within the Fire Department including the purchase of a Class I ambulance. Town Meeting ultimately took a negative position on the main proposal and favored a limited appropriation to supplement the Town's present resources, including contracting with a private ambulance service.

Following full discussion, Town Meeting rejected the recommendation of the Moderator's Committee, appointed at the direction of the November 1974 Town Meeting, that legislation be filed which would permit the Brookline Redevelopment Authority to finance a part of the Marsh Urban Re-

newal Project on the basis of the tax increment generated. Town Meeting acted affirmatively on the filing of legislation providing for payment to the Town of all reimbursement in arrears for the Farm and Marsh Urban Renewal Projects.

The costs involved influenced the Town Meeting not to accept the statute setting forth mandatory requirements for foot patrol and not to file legislation to establish May 29, John Fitzgerald Kennedy's birthday, as a legal holiday. It did support a resolution expressing concern with the magnitude of President Ford's U.S. military budget.

Two significant changes were made in the Town Bylaws affecting the community at large: one requires that persons offering food for sale to the public in a food service establishment, unless previously licensed as a common victualler or an inn-holder, obtain a food vendor's license; the other restricts the hours of operation of retail food stores.

An amendment to the Zoning Bylaw established procedures for notifying Town Meeting Members of Board of Appeals hearings affecting their precincts; other amendments relating to special permit sections were referred back to the Planning Board. A specific amendment which would have eliminated the reduction for state or federally assisted housing was defeated. It was voted instead that a 15-member study commission be appointed by the Moderator to consider all of the issues pertaining to subsidized housing in the Town.

Town Meeting action also mandated the appointment of other committees to study various matters, including the functions of the Transportation Department, the problems of street crime, and the Brookline Redevelopment Authority's future.

### **Special Town Meetings Within the Annual Town Meeting**

Three Special Town Meetings were held within the Annual Town Meeting.

The first, on May 1, dealt with the funding and implementation of collective bargaining agreements covering the period July 1, 1974 - June 30, 1975 with the Brookline Police Association, Local 950 IAFF, and the Engineering Division Associates, following fact-finding in connection with the police group and binding arbitration with respect to the fire fighters. The Classification and Pay Plan was also amended to include January 15, Martin Luther King Day, as a legal holiday. The meeting failed to authorize funds for a reassessment plan but voted favorable action on supplementing departmental appropriations to meet the extra cost of electric power and fuel.

The May 8 Special Town Meeting acted affirmatively on its one-article warrant, a petition to the General Court for legislation to establish the basis of apportionment of county taxes for fiscal year 1974 for the Town of Brookline. Its enactment prior to the setting of the tax rate for FY 76 permitted the Assessors to utilize the additional amount of \$604,646.96 as a receipt in computing the tax rate.

The May 14 Special Town Meeting appropriated funds in the amount of \$6,941,000 for construction of a new Lincoln School on the Park School site including the original equipping, furnishings, architect's fees, and other related project costs. The vote was subject to the condition that no funds be expended unless approval of the project was received from the State Board of Education, at the rate of 65% of the approved project cost. The project, part of the School Committee's long range program for equalization of school facilities, was approved by roll call vote, 166 affirmative, 60 negative, and two voting "present." of the School Committee's long range program for equalization of school facilities, was approved by roll call vote, 166 affirmative, 60 negative, and two voting "present."

## Fall Special Town Meetings

Three Special Town Meetings were held in the fall. The first was convened on September 23 for the purpose of implementing collective bargaining agreements with Local 1358 AFSCME, the Brookline Recreation Employees' Association and the Engineering Division Associates at a total cost of \$583,687. The three contracts were for a two-year period, July 1, 1975 through June 30, 1977, with a second year opener for wages only.

Since the School Committee had designated the Personnel Board as its bargaining agent for non-professional personnel, no motion was offered to seek legislative authority for Town Meeting to designate the Selectmen as the employer of School Department non-professional employees for the purpose of collective bargaining.

The regular fall Town Meeting convened on November 18, the first of three sessions, to consider a 21-article warrant. The Moderator introduced David Lee Turner, who had been appointed Special Town Counsel by the Selectmen for the Town Meeting.

Six articles involving Zoning Bylaw amendments were debated at length. Fourteen text amendments were approved, including regulations surrounding the development of town houses and the granting of special permits. Other proposed amendments relating to exceptions to maximum

height regulations and changes in the Zoning Map in the Kent, Washington, School and Harvard Street areas failed to attain the required two-thirds majority vote.

Following a comprehensive presentation for the benefit of the Town Meeting Members, the filing of applications for Community Development Block Grant funds in the amount of \$1,180,000 and the general programs to be undertaken in FY 77 were approved and the execution of a cooperation agreement between the Town and the Brookline Redevelopment Authority for the Central Village Rehabilitation Program was authorized.

The new Lincoln School was again the subject of debate, the action of the May 14 Special Town Meeting approving construction funds having been reversed by referendum vote on June 18. Town Meeting approved the transfer of funds for a feasibility study on the alternative ways to solve the school building needs of the Lincoln-Sewall district.

Of major concern to the Town Meeting Members was the issue relating to studies, plans and specifications for the correction of acoustical and masonry problems in the New Pierce School. Following a lengthy discussion, affirmative action was taken on a request for \$25,000 to make the acoustical studies; however, no proposal was presented with respect to masonry repairs.

By a vote of 76 to 68, Town Meeting approved an amendment to the Town Bylaws which added a new article prohibiting consumption of alcoholic beverages on public ways.

The filing of legislation to permit the Town to reimburse the Dexter Neighborhood Association for legal expenses was approved; but the filing of legislation to permit the setting of the compensation of the Town Clerk and Town Treasurer at other than the annual meeting was defeated by the narrow margin of 69-62.

The two articles relating to the acquisition of portions of land owned by St. Dominic's Institute on Ivy Street for conservation and playground purposes were referred back to the Selectmen, with the understanding that they would be included in the warrant for the December 16 Special Town Meeting.

The special town meeting on December 16 involved a 6-article warrant, which included the major issues of rent control, acoustical and masonry studies at the New Pierce School, and the acquisition of portions of land owned by St. Dominic's Institute on Ivy Street.

In the absence of affirmative and timely action by the Legislature on rent control legislation, Town

Meeting moved quickly and positively in adopting a new bylaw "Rent and Eviction Control."

Having been afforded an opportunity to consider detailed information relating to the acoustical and masonry problems in the New Pierce School, Town Meeting reaffirmed its action at the November 18 Special Town Meeting appropriating \$25,000 for acoustical studies, \$6,500 of which is to be transferred to the School Committee budget, and, in addition, provided \$28,000 for a study of the masonry problems.

By a two-thirds vote, the meeting authorized the Selectmen, upon the written request of the Conservation Commission, to acquire, for conservation purposes, a portion of the St. Dominic's property on Ivy Street, at a cost of \$155,000. The companion proposal, seeking to acquire a second portion for a playground, at a cost of \$70,000 was defeated.

The December 16 Special Town Meeting, the seventh and last Town Meeting of the year 1975, in which 13 sessions were held, was adjourned at 12:42 A.M., on December 17.

## SUMMARY OF ACTIONS TAKEN

The following is a summary of the actions taken by the Annual and Special Town Meetings during 1975. More detailed, official Town Meeting Records appear in Part II of this Annual Report, copies of which are available in the Town Clerk's Office, the Selectmen's Office and the Public Libraries.

### Annual Town Meeting, April 29, 1975

*Article 1. Measurers of Wood and Bark.* VOTED unanimously that the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen.

*Article 2. Temporary Borrowing.* VOTED unanimously to authorize the Treasurer to borrow from time to time in anticipation of the revenue for fiscal year 1976 and to renew any note or notes as may be given for a period of less than one year.

*Article 3. Amendments to Classification and Pay Plans.* VOTED to amend sections of the Classification and Pay Plans to provide for upgradings of certain positions, new classifications, reclassification and deletions of certain positions, and the payment of extra compensation to the Assistant Town Clerk.

*Article 4. Increase in Retirement Allowances.* VOTED unanimously to increase the retirement allowance of any former employee of the Town who

was retired on account of injury sustained in the performance of his duty.

*Article 5. Annual Appropriation Vote.* VOTED to adopt an operating budget for the fiscal year 1976 in the amount of \$40,181,049 which included the following changes to some budgets as submitted:

Budget	Submitted	Appropriated
Police	\$2,756,855	\$2,789,693
Health	598,135	600,935
Library	961,588	1,014,683
Funded Debt	2,642,000	2,662,000
Interest on Funded Debt	1,200,264	1,165,804
School Committee		\$890,000

The following amount was authorized for salary adjustments.

School Committee

Under this article it was VOTED that the Selectmen appoint a committee to investigate whether the functions of Transportation Department may be better carried out by another department. Under this article, it was also VOTED that a Moderator's Committee be appointed to study the problems of street crime and make recommendations about changes that might be made in police programs.

*Article 6. Unpaid Bills.* VOTED unanimously to authorize payment of eight unpaid bills incurred in prior years.

Articles 7 - 11 relating to the Lincoln School, discontinuance and alteration of Hedge Road, and acquisition of State owned land off Boylston Street. Action on these articles was taken at the May 14, 1975 Special Town Meeting.

*Article 12. Driscoll School.* VOTED to appropriate \$25,000 for an enrollment projection and planning feasibility study of the Driscoll School.

*Article 13. Longwood Playground.* VOTED to appropriate \$25,000 for the reconstruction of tennis courts at Longwood Playground.

*Article 14. Clark Playground.* VOTED unanimously to appropriate \$25,000 for modifications in design and construction of the Clark Playground.

*Article 15. Baldwin Playground.* VOTED to appropriate \$15,000 for the reconstruction of the multiple play area and screen plantings of evergreens at the Baldwin Playground.

*Article 16. Water Main Improvements.* VOTED to appropriate \$250,000 for laying and relaying water mains in portions of certain town streets.

*Article 17. Highway Construction Program.* VOTED to appropriate \$200,000 for the reconstruction, maintenance and repairs of various streets, sidewalks, bridges and paths within the Town.

*Article 18. Highway Construction Program.* VOTED to appropriate \$102,239 for the repair, reconstruction, and resurfacing of certain public ways under Chapter 765, Acts of 1972, to be reimbursed by the state and county.

*Article 19. Emergency Medical Services.* VOTED to appropriate \$10,000 for the development of emergency medical services within the Town, including the services of a private ambulance company.

*Article 20. Financial Records.* VOTED to appropriate \$20,000 for the purpose of employing an independent accounting firm to conduct an audit of the financial records of the Town.

*Article 21. Community Development Funds.* VOTED to ratify and confirm the action of the Board of Selectmen in filing Applications and Pre-Applications under the Housing and Community Development Act of 1974, P.L. 93-383; to authorize the Selectmen to take such other actions as may be appropriate and necessary to obtain funds under said Act; to authorize the disposition of funds appropriated by the Congress for fiscal year 1975, with the provision that no 1975 Development Act funds shall be expended for code enforcement in the Central Village area until a loan and/or grant program is established for purposes of assisting the implementation of the correction of code violations found.

*Article 22. Marsh Urban Renewal Project.* VOTED to appropriate and authorize the borrowing of \$450,000 to aid the Brookline Redevelopment Authority in defraying such part of the development, acquisition and operating costs of the so-called Marsh Project as will not be met by loans, contributions or grants from the federal government or any other source, \$405,000 thereof for the completion of the "air rights platform" and not more than \$45,000 for FY-76 administrative costs.

*Article 23. Tax Increment Financing – Legislation.* A motion to petition the Legislature for an Act permitting the Brookline Redevelopment Authority to finance a portion of the Marsh Urban Renewal Project on the basis of the tax increment generated thereby was DEFEATED.

*Article 24. Community Development Act.* NO ACTION was taken on the appropriation of community development funds for commercial development in the Marsh Urban Renewal Area.

*Article 25. Farm and Marsh Projects – Legislation.* VOTED to petition the Legislature for an act providing for payment to the Town of all reimbursements in areas for urban renewal projects.

*Article 26. Brookline Redevelopment Authority.* VOTED unanimously that the Moderator appoint a

Committee to study the Brookline Redevelopment Authority's future as an agency of the Town, including whether the Authority or its staff ought to be dissolved, reconstructed, or otherwise altered.

*Article 27. Building Code.* VOTED unanimously to amend the Building Code by amending Section 118.3 SCHEDULE OF FEES.

*Article 28. Building Construction.* VOTED unanimously to amend the Article XV-A of the Town Bylaws, Building Construction, by including within its scope "structures" as well as "buildings."

*Article 29. Town Meeting Members at Large.* VOTED to amend Article 1-A of the bylaws limiting Town Meeting Members at large to representatives to the General Court, moderator, town clerk, selectmen, and town treasurer, effective March 31, 1976.

*Article 30. Town Meeting Members at Large.* NO MOTION was offered under this article.

*Article 31. Food Vendor's License.* VOTED to enact a new bylaw, Article XXXV, requiring that no person shall offer food for sale to the public in a food service establishment unless licensed as a common victualler or an innholder without first obtaining a Food Vendor's License.

*Article 32. Retail Food Stores – Hours of Operation.* VOTED to enact a new bylaw (Article XXXVI) requiring that no person shall sell any food at retail between the hours of 2:00 A.M. and 6:00 A.M.

*Article 33. Retail Food Stores – Hours of Operation.* NO MOTION was offered under this article.

*Article 34. Dog Control Bylaw.* VOTED to amend the dog control bylaw by strengthening the anti-defecation provisions thereof.

*Article 35. Zoning Bylaw Amendment.* NO ACTION was taken on the proposed amendment to exempt public schools from the off-street parking space regulations.

*Article 36. Zoning Bylaw Amendment – elimination of parking reduction for state or federally assisted housing.* Motion DEFEATED. VOTED that the Moderator appoint a study commission representing all areas of the town to study the issues pertaining to subsidized elderly housing in the town.

*Article 37. Zoning Bylaw Amendment.* VOTED to establish requirements for notice to Town Meeting Members of Board of Appeals hearings.

*Article 38. Zoning Bylaw Amendments APPROVED* involving map changes in the areas of Egmont,

Pleasant, Thatcher and St. Paul Streets; Green and Dwight Streets changes were defeated.

**Article 39. Zoning Bylaw Amendments – special permit sections.** NO ACTION was required on item 1; items 2-6 were REFERRED BACK to the Planning Board for further study.

**Article 40. Zoning Bylaw Amendments.** VOTED unanimously to approve an amendment relating to yard and setback requirements and two zoning map changes, one on Washington Street, the other on Fairbanks Street; and to REFER BACK to the Planning Board proposed amendments relating to the Zoning Board of Appeals.

**Article 41. Dexter Park Apartments.** NO ACTION was taken on the article to reimburse the Dexter Neighborhood Association for legal expenses.

**Article 42. Pedestrian Mall.** A motion to establish a special commission to study the feasibility of a pedestrian based mall at Coolidge Corner was DEFEATED.

**Article 43. Acquisition of Land.** NO ACTION was taken on the article to acquire land off Harvard Street at Coolidge Corner for conservation purposes.

**Article 44. Foot Patrol** NO ACTION was taken on the acceptance of the statute relating to the assignment of police foot patrol.

**Article 45. John F. Kennedy's Birthday – Legislation.** A motion to petition the Legislature for an act establishing John F. Kennedy's birthday, May 29, as a legal holiday was DEFEATED.

**Article 46. Comptroller's Act – Legislation.** VOTED to petition the Legislature to amend the act establishing the office of the Comptroller in the town.

**Article 47. U. S. Military Budget.** VOTED to adopt resolutions objecting to President Ford's total military budget for 1975 on the basis that it will impede the town's ability to deal with local economic problems.

**Article 48. Reports of Town Officers and Committees.** VOTED unanimously to accept the interim report of the Comprehensive Plan Review Commission.

**Article 49. Use of Available Funds.** VOTED unanimously that the sum of \$1,000,000 be transferred from the Surplus Revenue for the purpose of reducing the tax rate for the fiscal year July 1, 1975 to June 30, 1976 (FY-76).

**Article 50. Appropriations – General.** VOTED to appropriate funds for salary adjustments for the Town Clerk and Town Treasurer approved under Article 5.

### **Special Town Meeting, May 1, 1975**

**Article 1. Collective Bargaining Agreements – July 1, 1974 - June 30, 1975.** VOTED to transfer from Surplus Revenue \$115,008 to fund collective bargaining agreements for employees of the Engineering, Fire and Police Departments.

**Article 2. Legal Holidays.** VOTED to amend the Pay Plan by including Martin Luther King's birthday as a legal holiday and to transfer \$20,000 from Surplus Revenue to pay police officers and fire fighters for such holiday.

**Article 3. Auxiliary Police.** VOTED to transfer \$250.70 from Surplus Revenue to reimburse Auxiliary Policeman Milton Pechenick for medical expenses and lost wages sustained in the performance of official duties, authorized by Chapter 96 of the Acts of 1975.

**Article 4. Reimbursement for Loss of Equipment.** VOTED to transfer \$4,000 from Surplus Revenue to reimburse certain Town employees for individually-owned tools stolen from the town garage, authorized by Chapter 97 of the Acts of 1975.

**Article 5. Reassessment Plan.** A motion to transfer \$25,000 from Surplus Revenue for the reassessment of all real estate and personal property in the Town was DEFEATED.

**Article 6. Supplementary Appropriations.** VOTED to transfer \$300,788 from Surplus Revenue to supplement certain departmental appropriations.

### **Special Town Meeting, May 8, 1975**

**Article 1. County Taxes, Apportionment of.** VOTED unanimously to petition the Legislature for an act establishing the basis of apportionment of county taxes for fiscal year 1974 for the Town of Brookline.

### **Special Town Meeting, May 14, 1975**

**Article 1. Lincoln School.** VOTED to appropriate \$6,941,000 for the construction, original equipment, furnishings, architect's fees and other costs, of the new Lincoln School, and limited rehabilitation of the Kennard House, and to authorize the Treasurer to borrow the same, subject to approval of a 65% state aided construction grant.

**Article 2. Lincoln School.** NO ACTION was taken on the motion to appropriate \$30,000 to supplement appropriations made for plans and specifications for a new Lincoln School to accommodate 490 students.

**Article 3. Alteration of Hedge Road.** VOTED to accept and allow the relocation and widening of Hedge Road as shown on a plan by the Commiss-

sioner of Public Works, dated December 23, 1974, subject to appropriation of funds and approval of 65% state aid for the Lincoln School project.

*Article 4. Discontinuance of a portion of Hedge Road.* VOTED to amend the vote to discontinue Hedge Road as passed under Article 8 of the Special Town Meeting, November 19, 1974.

*Article 5. State-owned land.* VOTED unanimously to authorize the acquisition of the state-owned land off Boylston Street designated as Parcel 11 on "The Commonwealth of Massachusetts Plan of Road" dated September 7, 1954.

### **Special Town Meeting, September 23, 1975**

*Article 1. Amendments to Classification and Pay Plans.* VOTED to amend the Classification and Pay Plans to provide for an 8% general salary increase for the General Labor, Engineering, and Parking Control Officer classifications, and to amend the "Miscellaneous Regulations" relating to longevity, sick leave, and night differential.

*Article 2. Collective Bargaining Agreements July 7, 1975 - June 30, 1976.* VOTED unanimously to transfer from Surplus Revenue \$583,687 for funding of collective bargaining agreements for employees other than Police Officers, Fire Fighters and members of the Staff Association of the Public Library.

*Article 3. Collective Bargaining – School Committee – Legislation.* NO MOTION was offered under this article seeking legislation to authorize Town Meeting to designate the Selectmen as employers of non-professional school employees for purposes of collective bargaining.

*Article 4. Unpaid Bills.* VOTED to transfer from Surplus Revenue \$120,802.44 for the payment of bills of prior years for veterans' benefits and group insurance.

### **Special Town Meeting, November 18, 1975**

*Article 1. Zoning Bylaw Amendments.* VOTED unanimously to refer back to the Planning Board for further study a proposed amendment to the zoning map changing from T-5 to SC-7 an area in the vicinity of St. Paul and Francis Streets.

*Article 2. Zoning Bylaw Amendments.* NO ACTION was taken on this article. See Article 3.

*Article 3. Zoning Bylaw Amendments.* Motions to amend the Zoning Map to include within a G-1.0 district areas in the vicinity of Kent, Webster and Linden Streets, and Washington and Harvard Streets, Thayer Place and Goodwin Place, School and Homer Streets were DEFEATED.

*Article 4. Zoning Bylaw Amendment.* A motion to amend the section relating to Exceptions to Maximum Height Regulations was DEFEATED.

*Article 5. Zoning Bylaw Amendments* relating to special permit sections were considered and acted upon under Article 6.

*Article 6. Zoning Bylaw Amendments* were APPROVED involving 14 text changes including regulations surrounding the development of town houses, granting of special permits, definition of landscaped open space, design review, and use and construction of signs.

*Article 7. Community Development Program.* VOTED to authorize the filing of applications for Community Development Block Grant Funds and to approve the general programs to be undertaken in FY-77 in the total amount of \$1,180,000.

*Article 8. Central Village Rehabilitation Project.* VOTED to authorize the execution of a cooperation agreement between the Town and the Brookline Redevelopment Authority in accordance with G.L. Chap. 121B for the Central Village Project, subject to conditions including the execution of a contract for administration and coordination outlining the scope of services to be provided by the Brookline Redevelopment Authority.

*Article 9. Lincoln School.* VOTED to transfer from available funds \$25,000 for a planning feasibility study on alternative ways to solve the school building needs of the Lincoln-Sewall District.

*Article 10. New Pierce School.* VOTED to transfer \$25,000 from Surplus Revenue for studies, plans and specifications for the correction of acoustical problems.

*Article 11. Reassessment Plan.* VOTED to refer the reassessment plan back to the Selectmen for further study.

*Article 12. Emergency Medical Services.* NO ACTION was taken on the matter of transferring \$23,806 from Surplus Revenue for the development of an emergency medical services system.

*Article 13. Dexter Park Apartments – Legislation.* VOTED to petition the Legislature for an act to permit the Town to reimburse the Dexter Neighborhood Association for legal expenses.

*Article 14. Acquisition of Land for Playground Purposes – off Ivy Street – Refer to Article 15.*

*Article 15. Acquisition of Land – Conservation Purposes.* 200 Ivy Street VOTED to refer the entire subject matter of Articles 14 and 15 to the Selectmen, an appropriate article to be submitted to the December 16 Special Town Meeting.

**Article 16. Conservation Land.** NO ACTION was taken on a motion to transfer the care and custody of town-owned land off Bellingham Road to the Conservation Commission.

**Article 17. Amendment to Town Bylaws.** VOTED to refer the proposed amendment relating to the parking of vehicles in private ways to the Building Commissioner and others for further study.

**Article 18. Amendment to Town Bylaws.** VOTED to amend the Bylaws by adding a new Article XXXVII prohibiting consumption of alcoholic beverages on public ways.

**Article 19. Compensation – Certain Town Officers – Legislation.** A motion to petition the Legislature for an act allowing the Town to determine the compensation of the Town Clerk and Town Treasurer at other than an annual town meeting was DEFEATED.

**Article 20. Auxiliary Police – Legislation.** VOTED to postpone action on petitioning the Legislature for an act permitting the Town to compensate auxiliary police officers for court attendance.

**Article 21. Reports of Town Officers and Committees.** VOTED to authorize the Housing Study Committee and Transportation Study Committee to continue their studies and present their findings to the 1976 Annual Town Meeting.

## Special Town Meeting, December 16, 1975

**Article 1. Rent Control.** VOTED to revoke the Town's acceptance of Chapter 842, Acts of 1970, and to amend the Town Bylaws by adding thereto a new article, Article XXXVIII, Rent and Eviction Control.

**Article 2. Rent Control.** NO ACTION was taken on the article providing for the acceptance of amendments to Chapter 842 of the Acts of 1970.

**Article 3. Lynch Recreation Center.** VOTED to transfer \$6,000 from available funds to a special account for a feasibility study for the rehabilitation and modification of this facility.

**Article 4. Pierce School.** VOTED to reaffirm the action taken under Article 10 of the November 18, 1975 Town Meeting warrant to transfer \$6,500 from the appropriation voted under said Article 10 to the School Committee's budget, and to transfer \$28,000 from Surplus Revenue for studies of the masonry problems.

**Article 5. Acquisition of Land – Conservation Purposes.** VOTED to authorize the Selectmen to acquire in fee simple, on the written request of the Conservation Commission, for conservation purposes, a portion of land owned by St. Dominic's Institute at 200 Ivy Street.

**Article 6. Acquisition of land – Playground Purposes.** A motion to authorize the Selectmen to acquire, in fee simple, for park and playground purposes a portion of land owned by St. Dominic's Institute as 200 Ivy Street was DEFEATED.

## TOWN MEETING MEMBERS

### BY PRECINCTS

#### Precinct 1

	Term Expires 1976	1975 Annual and Special Town Meeting Sessions		Home Phone
		Eligible	Attended	
Martha G. Edmondson	115 Freeman Street — 232-0949	13	4	
Henry I. Kohn	14 Monmouth Court — 731-0373	13	11	
Linda Kohn	14 Monmouth Court — 731-0373	13	13	
Patricia Ostrander	108 Ivy Street — 731-1447	13	12	
Ruth C. Scheer	34 Beech Road — 277-6377	13	13	
Term Expires 1977				
George L. Blackman	23 Monmouth Street — 277-1340	13	7	
Bertram J. Dane	165 Ivy Street — 232-6812	13	13	
Joan J. Fried	36 Amory Street — 734-1258	13	12	
Ferris M. Hall	14 Amory Street — 232-3047	13	13	
Barbara Hanson	36 Amory Street — 731-2350	13	13	
Term Expires 1978				
Cathleen C. Cavell	27 Monmouth Court — 566-0647	13	13	
Linda G. Golburgh	277 St. Paul Street — 731-9610	13	13	
Eric Robert Morse	9 Hawes Street — 731-1927	13	13	
J. Robert Morse	9 Hawes Street — 731-1927	13	13	
Michael Robbins	105 Colchester Street — 734-4861	13	13	

#### Precinct 2

	Term Expires 1976	1975 Annual and Special Town Meeting Sessions		Home Phone
		Eligible	Attended	
James H. Barron	25 Parkman Street — 731-2707	13	12	
Mary S. Curran	51 Egmont Street — 566-7782	13	13	
C. Mildred Piltch	12 Stetson Street — 734-5844	13	1	
Meyer Stern	145 Babcock Street — 232-4025	13	13	
Russell T. Werby	18 Still Street — 232-9661	13	9	
Term Expires 1977				
David Bachrach	109 Babcock Street — 277-3234	13	10	
Lillian J. Freedman	27 James Street — 277-9260	13	13	
Chester A. Pearlman, Jr.	21 Elba Street — 731-1387	13	13	
Edith G. Pearlman	21 Elba Street — 731-1387	13	13	
Robert J. Wong	195 St. Paul Street — 734-4802	13	13	
Term Expires 1978				
Betty J. Grossman	48 Browne Street — 277-7328	13	12	
Doris J. Lipson	1258 Beacon Street — 738-5373	13	12	
Mary P. Nelson	29 Copley Street — 731-5022	13	13	
Myron Robins	130 Pleasant Street — 277-3778	13	12	
Barbara C. Scotto	26 Crowninshield Road — 566-0041	13	13	

**PRECINCT 3**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
Robert J. Awkward	187 Kent Street — 566-0673	13	12
Marion E. Dubbs	131 Sewall Avenue — 734-4986	13	13
Deborah G. Ross	30 Francis Street — 277-7826	13	11
Stephen Peter Schaffer	70 Francis Street — 731-1611	13	7
Ann M. Wacker	87 Perry Street — 734-0944	13	12
<b>Term Expires 1977</b>			
Robert T. Abrams	125 St. Paul Street — 232-2535	13	11
Paul A. Kantrowitz	334 Kent Street — 277-6096	13	13
Daniel G. Partan	200 Kent Street — 566-3716	13	12
Ann C. Reeve	33 Kent Square — 232-6202	13	12
Gail Trust	123 Sewall Avenue — 734-2397	13	13
<b>Term Expires 1978</b>			
Elizabeth F. Abrams	125 St. Paul Street — 232-2535	13	12
Mary Lou Abrams	93 Perry Street — 739-1421	13	12
Terence H. Forde	40 Harrison Street — 734-9863	13	12
Aron Steinberg	87 Francis Street — 232-6489	13	11
Bruce R. Young	70 Perry Street — 232-9397	13	13

**PRECINCT 4**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
Wendell G. Campbell	65 Aspinwall Avenue — 277-9424	13	7
Mary M. Joyce	6 Juniper Street — 232-0876	13	10
Thomas C. Robinson	41 Brook Street — 232-4981	13	12
George Walsh	15 Hurd Road — 277-7575	13	5
Robert W. Wright	26 Linden Place — 232-0555	13	6
<b>Term Expires 1977</b>			
J. Mildred Crowley	18 Juniper Street —	13	6
Charles W. Manning, Jr.	79 Brook Street — 232-1961	13	12
Daniel J. Moroney	48 Brook Street — 734-1050	13	10
John E. Murphy	59 Linden Street — 232-4533	13	12
Martin L. Wallace	19 Hurd Road — 277-8044	13	10
<b>Term Expires 1978</b>			
Anne L. Conway	28 Juniper Street — 734-4217	13	6
Robert T. Lynch	64 Linden Street — 734-1896	13	12
Robert E. Robinson	207 Aspinwall Avenue — 232-0750	13	11
Patrick J. Ward, Jr.	2 Linden Street — 232-1451	13	11
John N. Wilson	41 Bowker Street — 277-1367	13	13

**PRECINCT 5**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
Francis P. Cavanaugh	4 Franklin Court — 277-6977	13	11
John J. Doherty	85 Highland Road — 277-1858	13	13
Joan Hertzmark	14 Milton Road — 232-8461	13	13
Francis E. McCone	52 Chestnut Street — 566-2550	13	8
John P. McElroy	110 Franklin Street — 277-8512	13	13
<b>Term Expires 1977</b>			
Thomas P. Condon	210 Chestnut Street — 277-1910	13	10
Brian L. Conry	23 Kendall Street — 277-3393	13	13
James P. Duggan	3 Franklin Street — 277-5798	13	12
Mary J. Harris	102 Franklin Street — 277-8610	13	12
Samuel E. Shaw, II	76 High Street — 277-8729	13	12
<b>Term Expires 1978</b>			
David A. Coleman	116 Chestnut Street — 734-4561	13	6
Gordon Francis Lupien	55 Irving Street — 232-0277	13	13
John P. Lynch	278 Cypress Street — 277-3789	13	9
Agnes Rogers	212 High Street — 731-3291	13	12
Claire S. Sweeney	38 Jamaica Road — 566-1421	13	12

**PRECINCT 6**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
*Francis F. Doldt	61 White Place — 277-7734	8	7
Daniel F. Ford	49 Davis Avenue — 277-5311	13	11
Herbert C. Hanson	16 Berkeley Court — 734-2839	13	7
Gerald S. Parker	12 Lowell Road — 734-1196	13	9
William F. Sullivan	41 Brington Road — 734-2064	13	13
†Robert E. Ransom	5 Davis Avenue — 739-1923	4	4
<b>Term Expires 1977</b>			
Francis J. Hickey	124 Davis Avenue — 734-3468	13	11
Marjorie V. Hickey	77 Brington Road — 232-7160	13	11
Virginia W. LaPlante	58 Welland Road — 566-7067	13	13
Natalie G. Zuckerman	25 Stanton Road — 734-9597	13	13
Walter Zuckerman	25 Stanton Road — 734-9597	13	13
<b>Term Expires 1978</b>			
Maureen Griffin	11 White Place — 734-3379	13	12
Marjorie A. Hewitt	43 Waverly Street — 277-5257	13	11
Sheila M. Kaplan	26 Davis Avenue — 734-3841	13	11
Marguerite Theresa Lipman	432 Washington Street — 738-4777	13	13
William F. Norris, Jr.	14 Thayer Street — 232-0028	13	9

\*Deceased

†Elected until next annual election

**PRECINCT 7**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
Leanor M. Feder	22 Alton Court — 232-3887	13	6
Judith I. Gill	31 Longwood Avenue — 277-8537	13	7
Alan P. Gottlieb	125 Park Street —	13	2
Roger W. Stern	20 Stearns Road — 277-4261	13	13
Alan S. Johnson	219 Harvard Street —	13	4

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1977</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
James M. Berenson	53 Harvard Avenue — 232-6723	13	12
Norman B. Cohen	41 Park Street — 277-3115	13	12
Martin H. Rabinovitz	49 Alton Place — 734-7716	13	12
Joseph Robinson	6 Alton Court — 566-2094	13	7
Seymour A. Ziskind	24 Littlel Road — 232-5295	13	13
<b>Term Expires 1978</b>			
Philip F. Duggan	37 Harvard Avenue — 566-3368	13	11
William A. Feder	22 Alton Court — 232-3887	13	5
Louis I. Novakoff	1371 Beacon Street — 566-4205	13	13
Richard Ross	45 Marion Street — 566-1673	13	7
Gloria B. Vokonas	47 Alton Place — 734-4950	13	12

**PRECINCT 8**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
Mark A. Neckes	20 Stedman Street — 734-7999	13	11
Jack M. Novack	82 Stedman Street — 277-5859	13	5
Leon Rubin	40 Babcock Street — 232-7252	13	12
Freida Salzman	203 Fuller Street — 734-9386	13	7
Lester S. Snieirson	119 Fuller Street — 277-1031	13	8
<b>Term Expires 1977</b>			
Craig Bolon	127 Fuller Street — 277-0280	13	11
Bernard E. Edelstein	131 Fuller Street — 734-2093	13	12
†Rhoda S. Goodwin	47 Manchester Road — 731-2615	12	10
Frances Halpern	9 Greenway Court — 566-0743	13	11
Ralph B. Levy	79 Beals Street — 566-6233	13	13
†Herbert N. Goodwin	47 Manchester Road — 731-2615	1	1
<b>Term Expires 1978</b>			
Eli Korisky	11 Naples Road — 566-0141	13	1
Adriane G. Levy	79 Beals Street — 566-6233	13	12
John F. Spillane	99 Stedman Street — 566-6428	13	13
Benjamin Stolow	92 Beals Street — 277-3956	13	11
Abraham J. Zimmerman	10 Bradford Terrace — 566-1917	13	12

\*\*Resigned  
†Elected until next annual election**PRECINCT 9**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
MacDonald Barr	60 Verdale Street — 734-5386	13	12
Louis M. Flashenberg	100 Centre Street — 566-3388	13	12
Sidney Gross	45 Verdale Street — 277-2077	13	11
Zvi A. Sesling	82 Thorndike Street — 731-6558	13	13
Bernice R. Speen	42 Russell Street — 734-0007	13	12
<b>Term Expires 1977</b>			
Stanley N. Rabinovitz	117 Thorndike Street — 734-2255	13	11
Archie Silver	64 Coolidge Street — 277-0977	4	4
Albert A. Silverman	82 Thorndike Street — 277-6742	13	11
Sidney Weinberg	103 Abbotsford Road — 566-7444	13	13
Stanley Zoll	95 Winchester Street — 232-4563	13	11
<b>Term Expires 1978</b>			
Harvey L. Koretsky	48 Winchester Street —	13	13
J. Archer O'Reilly, III	7 Manton Terrace — 734-6774	13	13
Ethel F. Pepper	32 Thorndike Street — 277-2476	13	13
Esther G. Saloman	76 Winchester Street — 277-4090	13	12
Morris S. Shubow	96 Lawton Street — 731-1194	13	12
<b>Term Expires 1979</b>			
**Resigned			
†Elected until next annual election			

**PRECINCT 10**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
Roy Howard Brown	50 Griggs Road — 734-2356	13	10
Stephen C. Ford	90 Marion Street — 738-0032	13	13
Leonora S. Rosen	24 Griggs Road — 277-5242	13	9
Herbert Sacks	80 Park Street — 277-7671	13	13
Max M. Tisser	64A University Road — 277-4225	13	12
<b>Term Expires 1977</b>			
Dennis G. Fitzgerald	648 Washington Street — 566-5324	13	12
Anne A. Jackson	59 Griggs Road — 232-9458	13	13
Robert Kramer	63 Griggs Road — 566-5911	13	12
Edward Lowenstein	42 Griggs Terrace — 277-6327	13	6
Henry T. Wiggin	151 Tappan Street — 277-8972	13	13
<b>Term Expires 1978</b>			
Susan B. Chipman	537 Washington Street — 734-8276	13	13
Sidney Herman	97 Somerset Road — 232-7239	13	8
Laurence Kragan Koff	40 Griggs Terrace — 738-1224	13	13
Elaine L. Novakoff	200 Gardner Road — 277-0493	13	13
†Louis J. Scorzello	97 University Road — 277-9743	5	3
†Judah M. Stone	117 Gardner Road — 232-9624	8	8
<b>Term Expires 1979</b>			
**Resigned			
†Elected until next annual election			

**PRECINCT 11**

1975 Annual and Special Town Meeting Sessions			
<b>Term Expires 1976</b>	<i>Home Phone</i>	<i>Eligible to Attend</i>	<i>Attended</i>
Bertram R. Alkon	84 Atherton Road — 566-4833	13	13
William Landau	100 Jordan Road — 734-6400	13	11
Tania R. Langerman	89 Jordan Road — 734-2005	13	12
Melvin Meister	228 Mason Terrace — 734-3627	13	9
Myron Norman	149 Summit Avenue — 277-9002	13	6

1975 Annual and Special Town Meeting Sessions			
Term Expires 1977		Term Expires 1976	
	Home Phone	Eligible to Attend	Attended
Stella B. Greenfield	2 Mason Terrace — 232-0205	13	13
Natalie L. Rothstein	57 York Terrace — 232-4927	13	12
Frederick S. Sharff	62 Atherton Road — 734-8699	13	12
Shirley Ann Sharff	62 Atherton Road — 734-8699	13	13
Shirley Sidd	148 Mason Terrace — 232-2170	13	13
<b>Term Expires 1978</b>			
Anne Baram	1530 Beacon Street — 734-1431	13	7
Maurice Davis	1550 Beacon Street — 734-8614	13	13
Julian Edelman	99 Jordan Road — 232-9174	13	11
Raymond Herman	211 Mason Terrace — 232-5566	13	9
Isadore Levetin	1550 Beacon Street — 277-6816	13	13
<b>PREINCT 12</b>			
<b>Term Expires 1976</b>			
Gertrude C. Freedman	33 Beaconsfield Road — 734-3082	13	13
Kevin J. Lally	230 Clark Road — 232-8426	13	12
Patricia C. Libbey	322 Tappan Street — 232-7278	13	13
David I. Sargon	295 Clark Road — 277-0212	13	11
Laura B. Schlesinger	215 Clark Road — 232-5123	13	13
<b>Term Expires 1977</b>			
Benedict S. Alper	146 Tappan Street — 232-6435	13	13
Sumner J. Chertok	142 Clinton Road — 277-1454	13	8
Carl M. Sapers	26 Chesham Road — 734-3268	13	13
Lawrence D. Shubow	13 Regent Circle — 734-1223	13	8
Stanley Shuman	169 Clark Road — 277-1663	13	7
<b>Term Expires 1978</b>			
John Connerton	181 Clark Road — 277-1780	13	12
Joan B. Lamphier	161 Clark Road — 734-7362	13	13
Gretchen Mamis	106 Colbourne Crescent — 734-2123	13	13
Joel S. Weinberg	16 Garrison Road — 232-2860	13	12
Peter L. Wiener	204 Clark Road — 566-6090	13	8
<b>PREINCT 13</b>			
<b>Term Expires 1976</b>			
Mary Kelligrew Kassler	17 Kilsyth Road — 277-4114	13	13
Marianne D. Pitkin	29 Williston Road —	13	13
Judith A. Smith	77 Evans Road — 734-5621	13	13
Robert M. Stein	261 Clinton Road — 277-1396	13	13
Claire R. Waldman	63 Cleveland Road — 277-1005	13	11
<b>Term Expires 1977</b>			
David Adelson	375 Clinton Road — 731-0622	13	13
Estelle Katz	1902 Beacon Street — 566-3457	13	13
Elaine R. Koretsky	756 Washington Street — 232-1836	13	12
Joseph I. Sargon	59 Corey Road — 232-5070	13	9
Jean C. Stanbury	43 Circuit Road — 277-3545	13	12
<b>Term Expires 1978</b>			
Anne N. Bayburt	55 Norfolk Road — 566-8051	13	12
Thomas S. Kahn	27 Willow Crescent — 232-6630	13	12
Haskell A. Kassler	17 Kilsyth Road — 277-4114	13	12
Mark A. Michelson	78 Evans Road — 734-9290	13	13
Mary B. Muse	439 Chestnut Hill Ave. — 277-3013	13	13
<b>PREINCT 14</b>			
<b>Term Expires 1976</b>			
Jean D. Berg	50 Sargent Beechwood — 734-8358	13	10
Abraham S. Burack	72 Penniman Place — 277-8561	13	11
Brian G. Connolly	55 Meadowbrook Road — 566-5419	13	12
Mary Jo Dow	72 Leicester Street — 566-5577	13	12
Joan Bond Sax	505 Chestnut Hill Avenue — 566-3145	13	6
<b>Term Expires 1977</b>			
George V. Brown, Jr.	167 Reservoir Road — 277-8800	13	13
Lorraine H. Fay	15 Whitney Street — 731-0832	13	11
Dorothy M. Heffernan	28 Eliot Street — 232-2324	13	10
Thomas F. Larkin	10 Country Road — 232-1872	13	12
Donald J. Moore, Jr.	125 Rockwood Street — 734-4962	13	11
<b>Term Expires 1978</b>			
Kevin J. Connolly	55 Meadowbrook Road — 566-5419	13	12
Walter E. Elcock	59 Codman Road — 566-4804	13	13
Michael J. Galatis	666 Chestnut Hill Avenue — 277-1387	13	12
Shepard A. Spunt	177 Reservoir Road — 277-7265	13	13
James O. Welch, Jr.	52 Hedge Road — 277-4190	13	7
<b>PREINCT 15</b>			
<b>1975 Annual and Special Town Meeting Sessions</b>			
John M. Hall	157 Clyde Street — 277-7693	13	5
Bertram R. Paley	96 Arlington Road — 232-8828	13	3
Joseph P. Richardson	114 Clyde Street — 277-9328	13	11
Deborah D. Rudman	320 Woodland Road — 277-3551	13	12
Genevieve G. Wyner	33 Martha's Lane — 566-0427	13	10
<b>Term Expires 1977</b>			
Barbara J. Coffin	677 Hammond Street — 734-2068	13	8
Luster T. Delany	965 Hammond Street — 566-7645	13	13
Albert M. Fortier, Jr.	90 Craftsland Road — 277-2572	13	13
Morton Robert Godine	9 Cary Road — 566-3712	13	11
Arnold Zieff	51 Alberta Road — 469-9053	13	12
<b>Term Expires 1978</b>			
Harrison P. Bridge	50 Fernwood Road — 277-0506	13	13
Diane G. Dalton	421 Heath Street — 731-1548	13	12
Lloyd G. Glazer	150 Shaw Road — 731-0021	13	13
Charlotte Litt	420 Newton Street — 734-2817	13	13
Francis G. Shaw	272 Woodland Road — 566-4683	13	11
<b>PREINCT 16</b>			
<b>Term Expires 1976</b>			
Morton D. Berenson	17 Risley Road — 277-9627	13	11
Ruth D. Dorfman	90 Risley Road — 232-1330	13	13
Jonathan S. Fine	81 South Street — 469-9747	13	13
Michael S. Selib	5 Leland Road — 738-1122	13	11
Herbert L. Shivek	86 Woodcliff Road — 469-0746	13	12
<b>Term Expires 1977</b>			
Mary Firestone	255 South Street — 469-0266	13	13
Bernard S. Kaplan	151 Payson Road — 469-9187	13	13
James H. Kurland	129 Payson Road — 469-0171	13	12
Phyllis G. Ryack	503 F.W. Parkway — 469-0546	13	12
Howard L. Wigoren	383 Russett Road — 469-0162	13	13
<b>Term Expires 1978</b>			
Abbe Cohen	160 Bellingham Road — 738-6338	13	11
Shalom Haase	37 Risley Road — 277-6463	13	13
Cyrus L. Jacobs	141 Bonair Road — 469-0050	13	13
John J. Shea	26 Clearwater Road — 469-0847	13	13
Allan Tofias	110 Wallis Road — 469-9262	13	13
<b>AT LARGE</b>			
1. Members from Brookline in General Court:			
Jack H. Backman, Sen.	61 Arlington Road — 734-5083	13	10
John A. Businger, Rep.	33 St. Paul St. — 277-2550	13	13
James Segel	17 Doran Road — 738-7133	13	12
2. The Moderator:			
Justin L. Wyner	33 Martha's Lane — 566-0427	13	13
3. The Town Clerk:			
Thomas F. Larkin	28 Upland Road — 566-4037	13	13
4. The Selectmen:			
Robert C. Cochrane, Jr.	22 Borland Street — 277-7952	13	13
Herbert Abrams	65 Chatham Street — 566-1289	13	12
Eleanor Myerson	175 Rawson Road — 232-0902	13	13
Edward Novakoff	200 Gardner Road — 277-0493	13	13
Judah M. Stone	117 Gardner Road — 232-9624	13	13
5. The Town Treasurer:			
Allan Sidd	148 Mason Terrace — 232-2170	13	11
<b>*The Chairmen of each of the following Boards:</b>			
6. Of the Assessors:			
Francis E. Ryan	'67 Griggs Road — 232-9000	13	11
7. Of the School Committee:			
Ann M. Wacker	87 Perry Street — 734-0944	13	12
8. Of the Trustees of the Public Library			
Emilie L. Drooker	20 Edgehill Road — 277-8759	13	7
9. Of the Trustees of the Walnut Hills Cemetery:			
Walter E. Palmer	24 Spooner Road — 734-1126	13	1
10. Of the Planning Board:			
Herbert L. Shivek	86 Woodcliff Road — 469-0746	13	12
11. Of the Committee on Planting Trees:			
Hamilton Coolidge	235 Goddard Avenue — 232-7848	13	5
12. Of the Registrars of Voters:			
William B. Hickey	77 Brington Road — 232-7160	13	2
13. Of the Personnel Board:			
Franklin Wyman, Jr.	83 Lee Street — 734-6652	13	2
14. Of the Park and Recreation Commission:			
Michal Hammerman	46 Verndale Street — 232-2202	13	5
15. Of the Advisory Committee:			
Kenneth M. Nelson	29 Copley Street — 731-5022	5	5

\*Until March 31, 1976

# GENERAL GOVERNMENT

## Town Clerk

### Public Records

In 1975 the Annual Town Meeting and six Special Town Meetings were held. The Annual Town Meeting contained 50 articles and there were 12 articles in the Warrants for the three Special Town Meetings held within the Annual Meeting. After eight sessions the spring meeting was dissolved.

A Special Town Meeting, with four articles, was held on September 23, 1975 and it was dissolved the same evening. A second Special Town Meeting, with 21 articles, was begun on November 18th and dissolved on November 24th after three sessions. A third fall Special Town Meeting, with six articles, was held on December 16, 1975 and dissolved that same evening.

The Town Election was held on March 4, 1975 with 10,244 voters participating, or 30.12% of the registered voters.

There were 317 births recorded for the year. Pending final returns from the City of Boston, there were 745 deaths recorded, of which 611 were Brookline residents. There were 525 marriage intentions filed and 649 marriages recorded for the year.

Department receipts totaled \$42,289.27, — \$1,038.91 greater than in 1974. The receipts are allocated as follows:

Marriage Intentions.....	\$2,064.00
Commercial Code Recordings & Terminations.....	2,500.10
Renewal of Gasoline Permits.....	36.50
Fishing & Hunting Licenses.....	22,471.40
Certified Copies of Records.....	3,799.92
Voter's Certificates.....	101.50
Business Certificates.....	152.50
Miscellaneous Receipts.....	1,622.35
Dog Licenses.....	9,541.00

Total ..... \$42,289.27

### Dog Licenses

1453 Males @ \$3.00.....	\$4,359.00
379 Females @ \$6.00.....	2,274.00
926 Spayed Females @ \$3.00.....	2,778.00
1 Kennel @ \$50.00.....	50.00
2 Kennels @ \$25.00.....	50.00
3 Kennels @ \$10.00.....	30.00
Total ..... \$9,541.00	
Paid to Norfolk County.....	\$8,573.60
Paid to Town Treasurer.....	967.40
Total ..... \$9,541.00	

### Conservation Licenses

Fish & Game Licenses issued during 1975 — 2,760.....	\$22,471.40
Paid to Division of Fisheries & Games.....	\$21,819.75
Paid to Town Treasurer.....	651.65
Total ..... \$22,471.40	

## Registration of Voters

During the year over 4,500 voters moved to new addresses, which included approximately 750 voters moving within Brookline, and 3,750 voters leaving the Town.

New voters registered during the year as follows:

For the Town Election.....	655
For the Special Referendum.....	348

Registration continued through the year at a brisk pace. Registrants now have the option of registering in one of three political parties or as an independent. The American Party earned political party

status by obtaining greater than 3% of the vote in the last state election. However, as of the end of 1975, no one had registered in the American Party.

The annual street listing revealed the following statistics:

Population.....	52,023
Males.....	22,346
Females.....	29,677
Registered Voters.....	29,126
Democrats.....	13,211
Republicans.....	5,192
Independents.....	10,723

## Purchasing

The Purchasing Department is responsible for the procurement of supplies and equipment for all Town Departments including the School Department. The level of activity is high, with over 13,000 purchase orders being issued annually. Price competition among suppliers is encouraged by actively soliciting bids. In 1975 there were 189 bids with a value in excess of \$2,000. These required advertising and formally executed contracts. When the value of a purchase is under \$2,000, written quotations or telephone quotations are received. All prices quoted and paid are maintained as part of the department's records. Potential vendors, including those identified as minority businesses under the Town's affirmative action program, are encouraged to compete and to attend the public bid openings. The total dollar value expended in 1975 for the wide variety of items required to maintain municipal and school services was \$3,395,662.

Inflation remained a chronic problem as the Consumer Price Index rose 7% in 1975 after 1974's very severe 12.2% increase. A continuing effort

was made to combat the loss in purchasing power due to inflation. Maximum use was made of available Commonwealth of Massachusetts contracts to obtain prices lower than the Town could obtain acting alone. As a member of the Massachusetts League of Cities and Towns Task Force on Cooperative Purchasing, the Purchasing Department is actively involved in expanding the number of Commonwealth contracts available to cities and towns.

The Purchasing Department operates a stationery store which carries 162 office supply items used by the various town departments. Stock for stores is purchased in quantity with funds from the stores account and then charged to the various departments as required. A recent spot check showed that prices charged by the Purchasing Stores were averaging 55% below comparable retail prices. There are additional indirect cost benefits by having supplies available centrally and reducing the paperwork which would otherwise be required for a large number of small dollar value orders.

## Personnel Board

Early 1975 saw the conclusion of the three remaining collective bargaining agreements for the period July 1, 1974 - June 30, 1975. Of particular note was the receipt of the first binding arbitration award in the Town — the second in the State — which settled the contract with Local 950, IAFF, (International Association of Fire Fighters) on the basis of the Town's last best offer as against the union's proposal. Shortly thereafter the fact finder in the Brookline Police Association negotiations rendered a report which resulted in settlement of that contract without having to resort to binding arbitration. A Special Town Meeting on May 1, 1975 funded the cost items of the new contracts which included 10% salary increases for Firefighters and Police Officers.

Negotiations for contracts to succeed those expiring June 30, 1975 began in April. Major issues facing the Personnel Board were: the growing tax burden; the size of increases scheduled for School Department clerical and custodial employees under the terms of the existing two year contract with those groups; the desire of other employees to "catch up" with the slightly higher public safety employees' 1974 salary increases; and the intense drive by other employees to win longevity payment plans similar to those enjoyed by public safety employees.

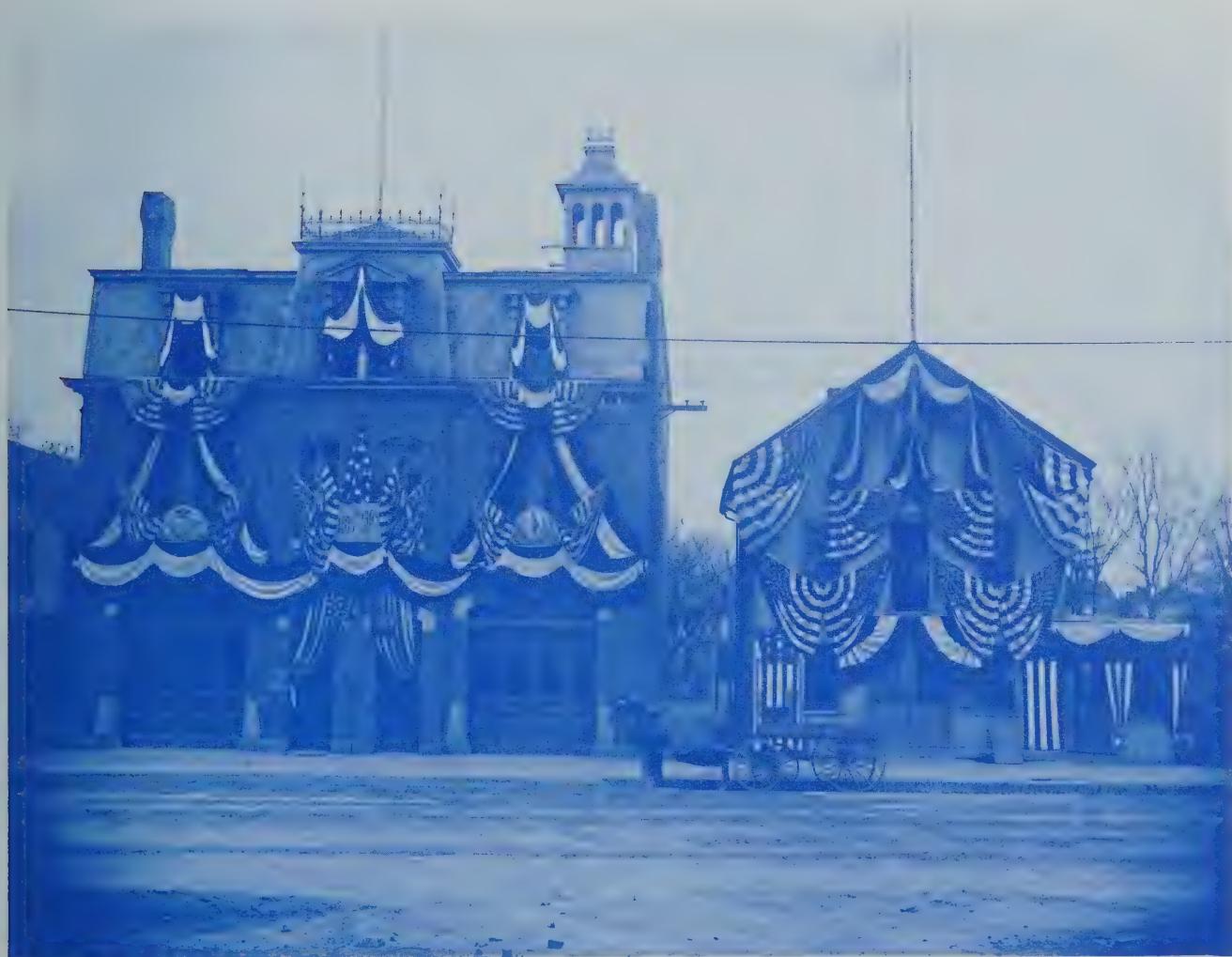
On July 1, the day after their contract expired, the 450 members of Local 1358, AFSCME (American Federation of State, County and Municipal Employees), engaged in a one day strike, the first to be experienced by the Town. The firm refusal of the Personnel Board and the Board of Selectmen to negotiate while the employees were engaged in an illegal strike was the key factor limiting the duration of the strike. Negotiations resumed following the resumption of work, and a two year contract was executed on August 11, 1975. Two year contracts were also settled soon thereafter with the Recreation and Engineering employees. A Special Town Meeting on September 23, 1975 provided funds to implement the cost items of these agreements, which included a first year 8% salary increase and an improved longevity plan. For the second year, salary increases are the only "open" items in these contracts and these will be negotiated early in 1976 for the fiscal year that begins on July 1, 1976.

Contracts to replace those expiring on June 30, 1975 with Local 950, IAFF, the Brookline Police Association, and the Staff Association of the Public Library of Brookline, had not been concluded by the end of 1975. Factfinding was either concluded or nearly concluded in all cases however. It is too early to know if binding arbitration will be

necessary in the Police and Fire negotiations for the second consecutive year.

One final point of note is the agreement worked out by the School Committee and the Personnel Board on September 22, 1975, whereby the School Committee designated the Personnel Board as its collective bargaining agent for clerical and custodial employees. In this role the Personnel Board will serve as a staff and advisory body for the School Committee, just as it has done for many years for the Board of Selectmen. The purpose of

both groups in entering into the new relationship was to provide a single Town bargaining team in negotiations with similar classifications of employees, thereby eliminating the "whipsawing" problems inevitably created for each other by the actions of separate bargaining teams. The Personnel Board welcomes the opportunity to work with the School Committee and is confident that the tandem efforts of both groups will serve the Town well.



*Fire Station, Washington Street, decorated for the 200th Anniversary of the town in 1905*

# PUBLIC SAFETY

## Police Department

### General Activities

During 1975 the Brookline Police Department initiated the installation of its own dedicated mini computer, which will be brought on line in stages by the Police Planner.

The Greater Boston Police Council Radio Network was installed, allowing for the first time direct radio communications with 28 other police departments in the Metropolitan Area.

The Brookline Police Department arrested a total of 763 individuals during 1975. Of these, 638 were adults and 125 were juveniles. The department provided emergency medical transportation in 1,977 instances. It issued 145,205 parking tickets and 7,966 moving violation citations. The department also placed 401 individuals in temporary protective custody and referred 5 other individuals to detoxification centers. The department investigated 2,004 traffic accidents, in which 480 people were injured, and there were 3 fatalities. There were 3 commendations for meritorious service issued during the year and in 21 instances police officers were cited for excellent police work. In addition, the department appointed 6 new permanent police officers, including the first policewoman since 1920. Also, 2 provisional officers received permanent appointments. All new police recruits were evaluated by a psychologist.



*The new dedicated mini-computer will enable the Police to store and retrieve law enforcement information.*

### Community Relations

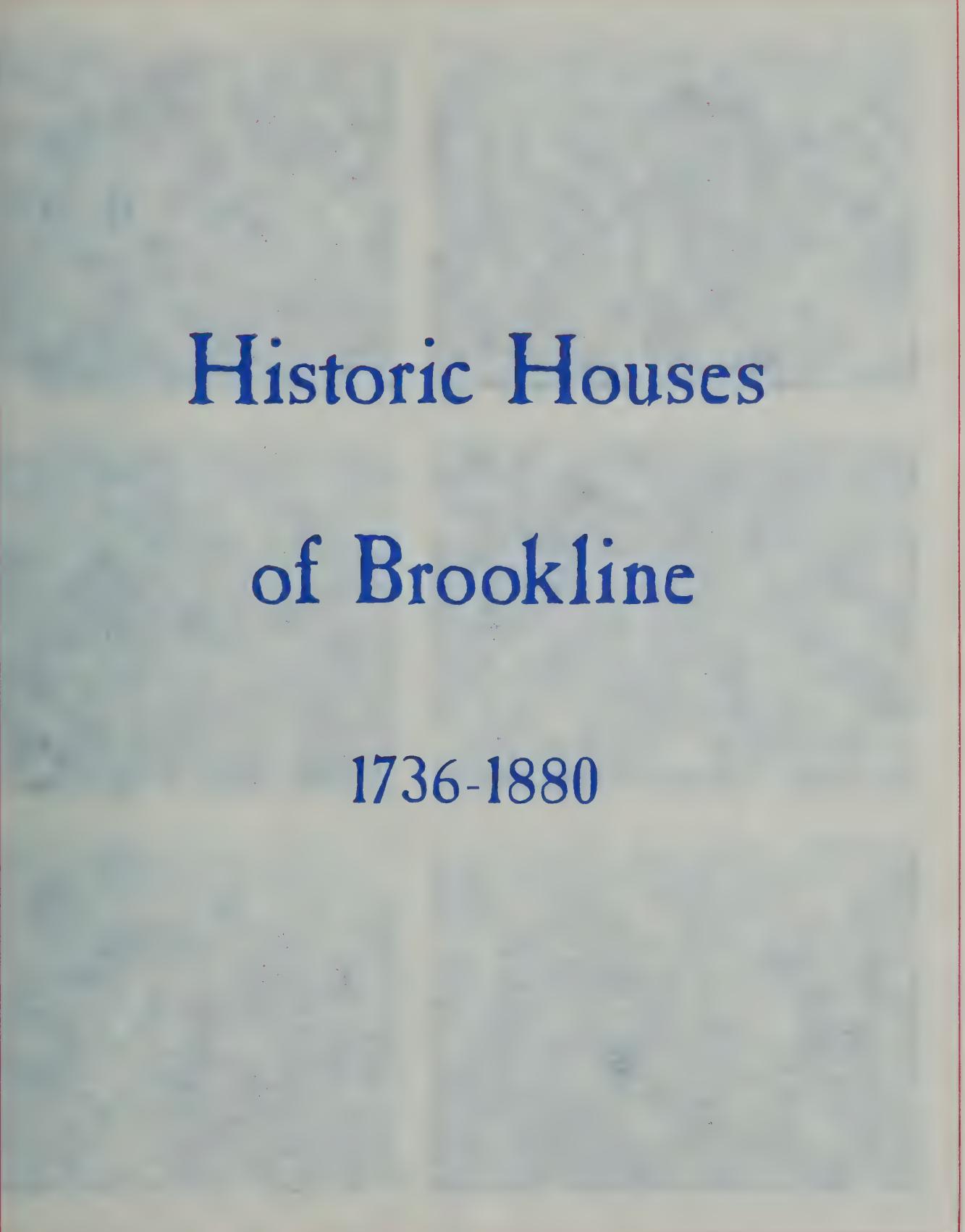
The Youth Bureau reports that, of the 125 juveniles arrested during 1975, 82 were non-resident and 43 were local. Youth Bureau personnel assisted public school officials in a total of 75 cases and private school officials in 12 cases. Also, 13 lectures were given by the Youth Bureau throughout the various schools within the Town. The Public Information and Assistance element continued to function in informing citizens of various crime prevention techniques and gave a number of lectures to various neighborhood groups and other organizations.

### Training

Eight recruits were graduated from the Boston Police Regional Training Academy. In addition, all members of the department participated in the "In Service Training Program," covering such topics as firearms training, various refresher courses, first aid, law review, and other related subjects. One Brookline police officer attended a 40-hr. training program at Brandeis University dealing with rape investigations. Three sergeants attended a 24-hr. instructor course provided by the Red Cross in personal safety, basic life support and cardio-pulmonary resuscitation. The department's Tactical Unit participated in a refresher course provided by the Boston Police Department. One Lieutenant and one Detective attended a hostage seminar at Dean Jr. College, presented by the New York City Police Department. In addition, a number of officers continued working toward undergraduate or Master's Degrees in criminal justice at Boston State College, Northeastern University and Boston University.

### Auxiliary Police

The Auxiliary Police continued to carry out its function in acting as an unpaid force to assist regular police officers in their various duties. Auxiliary Officers usually work one weekend per month. They patrol the Town in their own vehicles and carry portable radio equipment issued by the Department to keep them in communication with Police Headquarters. The Auxiliary Police Force was again of valuable assistance in helping to control vandalism in the Town.



Historic Houses

of Brookline

1736-1880



1



2



3



4



5



6



8



10



12

Brookline has a rich heritage in old houses, many of which were built in the 18th and early 19th centuries. The houses pictured on the preceding pages are:

1. Dr. Zabdiel Boylston House, ca. 1736  
617 Boylston Street
2. Isaac Child House, ca. 1740  
209 Newton Street
3. Edward Devotion House, ca. 1740  
347 Harvard Street
4. Nehemiah Davis House, ca. 1742  
215 Warren Street
5. Benjamin White House, 1790  
197 Heath Street
6. Ebenezer Heath House, 1791  
30 Heath Street
7. Eliphalet Spurr House, ca. 1798  
103 Walnut Street
8. William Spooner House, ca. 1802  
191 Clyde Street
9. Samuel Gardner Perkins House, 1803  
25 Cottage Street
10. Benjamin Goddard House, 1810-11  
43 Sumner Road
11. John Warren House, 1812-25  
305 Warren Street
12. Edward Stanwood House, 1880  
76 High Street

(photos by Juliana Boyd)

## Fire Department

During 1975 the Fire Department responded to 5,111 incidents, an increase of 2,307 over the previous year. Sixty-five percent of the total response was for fire or fire related emergencies, and the remaining thirty-five percent were medical emergencies. Included in this total were seven multiple alarm fires and thirty-one working fires. Mutual aid was rendered to the cities of Boston, Newton, and Cambridge, and Brookline received coverage and assistance during multiple alarm fires from Boston and Newton. The total valuation of buildings where fires occurred was \$79,025,866 and the estimated fire loss for the year totaled \$1,292,134, an increase of \$573,028 over the previous year.

During 1975 five Lieutenants and four fire fighters retired, and one fire fighter resigned. Three fire fighter aide positions were eliminated, and twenty-one provisional fire fighters were hired to fill vacancies. Seven fire fighters were promoted to the rank of Lieutenant, two Lieutenants to the rank of Captain, and one Captain to the rank of Deputy Chief.

### Fire Prevention Division

The inspectors assigned to the division and fire company personnel made over 4,500 inspections covering all types of occupancies and new construction. Schools, hospitals, nursing homes, day care centers and hotels were inspected, as required by law, and the required reports and referral forms were forwarded to the local or state agency involved. The division also issued permits for the storage of flammable fluids and gases, installation of oil burners and tanks, welding and cutting operations, and issued certificates of flameproofing for interior decorations and carpeting. This division also works closely with other town agencies; Building, Health, Water, and the Conservation Commission. Members of the division are required to conduct investigations with members of the State Fire Marshal's office, of all fires of undetermined, suspicious, or unknown origin.

During Fire Prevention Week, personnel visited every public and private elementary school in the





*Readiness for Emergency Medical Services is part of the Firefighters' Training Program*

town; a motion picture was shown and timely and informative literature was distributed.

### **Training Division**

Continuous and systematic training is given to all fire fighters at either the Hammond Street facility or while on duty at the various station houses. All newly appointed fire fighters usually attend training classes prior to assignment. The Training Officer also conducts refresher courses covering a wide range of subjects, both at the Hammond Street facility and in station houses. Twenty-five members attended fire science classes at either Boston State College, Massachusetts Bay Community College, or Bunker Hill Community College. The training facility has also been used for training and educational purposes by the School Department, Water Department and Bunker Hill Community College.

### **Emergency Medical Services**

The department continues to work closely with the Health Department in developing a plan for improved emergency medical services for the citizens of the town. During 1975 the department responded to 2,003 calls for aid and assistance. Twelve fire fighters were certified as instructors to train department personnel in CPR (Cardio-

pulmonary resuscitation) and first aid in compliance with Chapter 795 of the General Laws. Currently the department has 31 licensed Emergency Medical Technicians, and 14 men will have completed classes early in 1976, for a total of 45 qualified EMT's.

### **Fire Alarm & Wire Division**

The Wire Division placed 12,495 feet of multi-conductor cable in service, and added fourteen fire alarm boxes to the Town's system. Eleven of these boxes were master type that were connected to high rise buildings or school buildings in accordance with code or regulations. Improvements to the Fire Department radio system were continued in order that the system may be updated.

### **Summer Youth Program**

The department was pleased that it was once again given an opportunity to cooperate and participate in the Human Relations Commission's summer jobs for youths and CETA programs. This assistance made possible the continued updating of the filing system, and resulted in considerable maintenance and painting at the various stations. Members of the fire prevention division were given instruction in photography, in order that they may become more skilled in this area of fire prevention and investigation.

## Department of Transportation

### Service to Users

The activities of the Transportation Department in 1975 can be summarized in one phrase — service to users of transportation facilities. The Department demonstrated the varied nature of these user services through programs providing better facilities for transit riders, street improvements for automobile drivers, control revisions to benefit pedestrians, innovative actions for those with special needs, and a high degree of responsiveness to all citizens on matters relating to the use of public and private transportation.

### Mobility of Elderly and Handicapped

The continuing four-phase program of taxi slips, Minibus, Elder-Cab and Multi-Service Van has been strengthened and coordinated into a dependable operation, effectively servicing several thousand citizens of the Town. With the cooperation of the Multi-Service Senior Center, more than 35,000 person-trips were made in 1975, either free or at token prices. The cooperation of the Red Cab Company and the Bay State Taxi Company has been outstanding, with almost 3,000 hours of transportation time provided in 1975 at no cost to the Town. As a result, mobility has been provided to a large number of citizens of the Town who otherwise would not have been served.

A new service, initiated this year, is a limited home-to-work group ride plan servicing handicapped residents of the Town unable to use regular public transit. Current efforts to work out the operating problems and expand the service include seeking funding sources outside the regular Town budget.

### Public Transportation

The Department has concentrated its efforts on the initiation of improved services to users who are residents of the Town. Improvements to the roadbed and tracks of the Riverside Line were completed this year, and final plans for the improvements of four stations on this line have been reviewed. Six additional shelters were completed or placed under construction on the Beacon Street Line, including substantial landscaping and aesthetic improvements at four locations, at no cost to the Town. A study of bus stops on Harvard Street and Washington Street was conducted, with implementation of its findings aimed for next year.

Improvements continue to be made in the minibus service. The routing was revised to include new housing projects on Longwood Avenue and Amory Street, and, at the same time, additional minibus

services have been provided for the commercial areas on Lower Beacon Street, Washington Square and Brookline Village. Monitoring of the service to maintain its reliability continues on a limited basis.

### Traffic Control

The Department coordinates with the Department of Public Works on the maintenance, adjustment and surveillance of traffic signal installations in the Town. Emphasis has been placed on three particular projects: revision of the Washington Square signal timing to provide exclusive pedestrian intervals; installation and operational adjustments to Brookline's first computer-controlled signal in Brookline Village; and completion of design documents to lead to new signals at Centre and Williams Streets and modernization of signals at Harvard and Verndale Streets.

In addition, studies have been pursued to devise better timing and operations at Coolidge Corner, at Beacon and St. Mary's Streets, and St. Paul Street and Longwood Avenue.

Technical studies and administrative coordination continue to be devoted to the justification and approval of traffic control devices, such as STOP and YIELD signs, parking prohibitions, truck prohibitions, pavement markings, channelization, and one-way operations. These activities include response to complaints and requests from citizens as well as projects initiated by the staff as a result of regular field reconnaissance, accident analyses and personal observations. A close working relationship is maintained with the Department of Public Works, which is responsible for installing and maintaining these devices, and the Police Department, which is responsible for enforcement.

### Coordination

One of the major activities of the Department is coordination and liaison with other departments in the Town and agencies outside the Town. Planning Department contracts included review of development projects such as Brewster Terrace and property on Boylston Street. Frequent consultations are held on matters pertaining to the Comprehensive Plan, the preparation of the Community Improvement Plan, and the land use implications of circulation planning. Review of the Open Space Plan of the Conservation Commission was completed, in addition to frequent checking of aesthetic and other matters of interest to that group. Considerable time was spent with the Redevelopment Authority on the Marsh Project, Cen-

tral Village Neighborhood Area report, and Pearl Street controls.

Assistance to the Department of Public Works included matters related to the signal maintenance contract, the pavement marking contract and review of construction work by the Mass. Department of Public Works. Annual renewal of the towing contract, support of recommendations relating to fees and operation of parking meters and analysis of accident reports are examples of almost daily liaison with the Police Department. Repair, installation and expansion of OPTICOM equipment for the Fire Department was pursued in addition to frequent consultations on reactions to circulation proposals. The Department responded to requests from Assistant Town Counsel to prepare reports and appear in court on behalf of the Town.

The Director maintained regular liaison with the Massachusetts Department of Public Works on matters relating to controls, proposed construction, current improvements and maintenance. Discussions relating to the Reservoir Road Bridge were closely monitored, as were current projects at Cleveland Circle and Commonwealth Avenue. These contacts resulted in approval of approximately \$1 million worth of improvements on Route 9 in Brookline Village and at Allandale-Grove-Newton Streets under the Urban Systems Program. The Director represented the Town at meetings of the Joint Regional Transportation Committee and monitored the activities of the Central Transportation Planning Staff.

### Transportation Board

The most innovative transportation development in the Town in recent years was the establishment of the Transportation Board, as a result of legislation strongly supported by Town Meeting. Consisting of six citizens appointed by the Selectmen, the Transportation Board represents a unique effort by municipal government to be responsive to the residents of the Town in the promulgation of traffic rules and regulations. Through the operation of a series of citizen advisory committees, almost a hundred residents of the Town actively participated in deliberations relating to taxicabs, bicycles, residential parking, neighborhood circulation, transportation for the elderly and handicapped, and transit operations. Additional hundreds of citizens took advantage of the regular open meetings of the Board to voice their comments on matters under consideration.

Department personnel spent a substantial portion of their time in the provision of staff services and support to the Board and its advisory committees. Demands for traffic data, graphical materials,



*The first computer-operated intersection controller in the State is in service at Boylston, High and Washington Streets.*

technical advice, recommendation reports and administrative follow-up were satisfied without increasing the size of the staff.

In its first full year of operation, the Transportation Board devoted a considerable amount of time to the organization of operating procedures, the development of criteria for decision making, and establishment of a meeting format. The controversial nature of some of the matters considered, gave members of the Board a broad insight into the complexities of transportation decision-making. The separation of political and technical factors has contributed to a better understanding of the social and operational consequences of various actions. Public notice of all meetings has been expanded well in excess of legal requirements, and public attendance has been high.

The Transportation Board achieved a significant record of accomplishment in 1975. The Board held 20 regular meetings, several working meetings and two special hearings. Actions of the Board included revision of fees and charges for parking meters, parking fines, taxi-cab licenses, hackney driver licenses and taxi fares; adoption of parking regulations on more than 20 streets; approval of STOP signs, one-way operation, truck prohibitions, and other traffic controls at more than 14 locations; consideration of police matters relating to MBTA operations, bicycle proposals, resident stickers, priorities of projects, commercial loading zones and off-street parking; and monitoring of the activities of the staff of the Transportation Department.

## Building Department

The year 1975 saw the Brookline Building Department operating under State mandated codes for building, electrical, gasfitting and plumbing for the first time. The Commonwealth of Massachusetts State Building Code became effective January 1, 1975 and is now the Building Code for all municipalities in the Commonwealth.

Though the Code is patterned after the BOCA Basic Code there were sufficient changes to create administrative problems. However, during the year the State Building Code Commission held seminars and issued statements clarifying and interpreting questionable sections of the Code. The Building Commissioner serves as a member of a special committee appointed by the State Building Code Commission to review and recommend revisions to the sections of the Code pertaining to inspections and certification of structures for specific use and occupancy.

Additional duties and responsibility were transferred by the Code from the State to the local building official. Most important, and having the greatest impact upon the Building Department's operation, is the requirement for certification of places of assembly and multi-family residential structures. A schedule for inspection of these structures has been established giving priority to the structures with the most exposure to the public and containing major hazards to life safety.

On July 1, 1975 the code enforcement office was transferred to the Building Department to administer the Central Village Improvement Program. During the last six months of 1975, with the cooperation of the citizens of Central Village, a total of \$218,750 in low interest federal loans was made available to assist fifty-seven home owners in the renovation and rehabilitation of their homes.

During the year, the Department supervised the maintenance and repair of Town buildings, other than schools, expending \$110,416 in FY-75. The

Department provides technical assistance to the Code Enforcement Program, Housing Rehabilitation Program, the Rent Control Board, the Fire Department and the Health Department. The Department coordinates its inspection activities with these agencies wherever possible.

During 1975 the volume and type of permits issued were:

	Number of Permits / Certificates	Estimated Construction Cost
New wood & frame	11	\$ 800,230
New brick & stone	22	10,331,100
Alterations	348	2,175,517
Electric	462	1,040,639
Gasfitting	208	55,380
Plumbing	236	939,505
Elevator Certificates	315	—
Inspection Certificates	115	—
		\$15,342,371

Permit fees collected for the above construction and inspections totalled \$33,209.



*The Building Department oversees the issuance of permits for and inspections of new private construction such as this Beacon Street structure completed in 1975.*

## Board of Examiners

During 1975 the Board of Examiners met 12 times to examine applicants desiring licenses for the construction, alteration, removal, or demolition of buildings or structures in the Town. Eighty-five persons were interviewed, 76 of whom successfully qualified for licenses; sixty-nine of the successful applicants requested that the license be issued.

The 69 licenses issued included:

- 10 ABC (fire resistive construction)
- 2 D (noncombustible exterior)
- 34 F (frame construction)
- 23 M/S/H (siding, roofing, swimming pool, demolition)

During the year 227 licenses were renewed.

Fees received total \$4,120, and a total of \$435 was paid to the members of the board and the clerk.

## PUBLIC WORKS

In 1975 the Engineering Division of the Public Works Department provided survey and design services for reconstruction, resurfacing or spot improvements of four streets in the Central Village Area. This work will be done in 1976 and is funded through a HUD Grant — the Community Development Program — with guidance from the Planning Department.

Refunds of gas tax money allowed Public Works to chip-seal 7.04 miles of Town-ways (37 streets). Chip-sealing is an economical overlay system using asphalt with rolled-in stone which will extend the life of low traffic volume pavements by as much as 15 years.

A large number of maintenance projects on streets and sidewalks is conducted each year. In 1975, the Department of Public Works performed these services on 102 streets.

The department designed and carried out resurfacing or reconstruction contracts for St. Paul Street, School Street, Washington Street and Cypress Street. Highway Division personnel resurfaced Welland Road and a portion of Sumner Road.

The Highway Division collected a record volume of street sweepings, litter and leaves from Brookline streets in 1975. The Sewer Division made use of the Department's television inspection equipment to locate and solve several troublesome sewer problems and the department's new sewer jet was utilized to clear many obstructed lines. The Town and the Boston area experienced a 24 inch, four-day snowfall just before Christmas. The storm created a difficult and costly plowing and removal problem, which was made worse by the traffic of holiday shoppers. The 24 inch snowfall was the greatest December amount ever recorded for the area.

Beginning in July the Town's solid waste was transported from the new transfer station to a private resource recovery facility in East Bridgewater, Massachusetts, thereby practically eliminating landfill operations in the Town. A time saving refuse pick-up route system was developed through a computer study.

The approval of Article 16 at the Annual Town Meeting provided an appropriation of \$170,000, which, coupled with unexpended funds of \$80,000



*Before and after the reconstruction and landscaping of School Street*

from the previous year, gave the Water Division a total of \$250,000 for the cleaning and cement mortar lining of water mains in selected locations of the Town. Nearly two miles of principal arterial mains from 6 to 12 inches in size were completely restored, including all branch connections and the replacement of existing line gate valves and hydrant gate valves.

In connection with the cleaning and lining work on Lawton Street, approximately 700 feet of 6-inch main was replaced with 8-inch pipe by Water Division forces so as to provide the entire length of

this street with an 8-inch main, which will greatly improve the fire demand flows in this area.

Water rates were increased from 35c per 100 cubic feet to 55c per 100 cubic feet effective January 1, 1976 due to increased wholesale water supply charges by the Metropolitan District Commission as well as increased operating costs of the Town's Water Division.

In December, the Selectmen appointed William T. Griffiths, P.E., Director of the Engineering Division, to replace Richard R. Fairbank, who retired in June after serving the Town for twelve years.



*Multi-purpose vehicle acquired in 1975 flushes streets, cleans catch basins and flushes sewer and drain lines.*

## Trustees of Walnut Hills Cemetery

The lawns, trees, and drives of the Walnut Hills and Old Brookline Cemeteries were given their usual care and attention. The following are the details of the work performed during the year:

Number of lots sold .....	5
Number of single graves sold .....	64
Number of interments .....	118
Number of memorials set .....	42
Total lots sold to date .....	860
Total single graves sold to date .....	3,037
Total interments to date .....	7,769

The Cemetery received over \$30,000 in fees from interments and the sale of lots and graves. Earnings from the Cemetery's Perpetual Care Fund exceeded \$18,500 for the year.

There were no interments in the Old Brookline Cemetery in 1975.

# PUBLIC SCHOOLS

## Superintendent's Speech Sets Out 10 Priorities

A number of priorities for the Brookline Public Schools over the next several years were set before members of the school faculty by Superintendent Robert I. Sperber in his annual address, which marked the beginning of his eleventh year as Superintendent.

Dr. Sperber placed these priorities before the faculty:

*“(1) Staff Development Programs* for supervisors and teachers: With the curriculum in fairly good shape, meeting performance objectives which will lead to better teaching and more helpful supervision stands out as the top priority. My role will be to help the supervisors attain their goals, and the supervisors in turn must help teachers with their goals.

*“(2) Improved competency in the basic skills*, particularly for underachievers: I shall be constantly stressing this topic until I am convinced that our pupils are writing and speaking and reading more effectively and they are in command of their arithmetic skills.

*“(3) The building of the Lincoln School*: Not only is this important because of the School Committee's overall plan to modernize all the elementary schools, but because the Town owes this new

plant to the Lincoln children, whose predecessors have been treated unfairly because the Town fathers of the 1930's built the present school along what has become a dangerous and noisy Route 9.

*“(4) Implementation of a few mission-and-goal statements*: When I visited with each faculty this past year, I indicated that the next step is to carry out the goals with some direct action. I will ask any faculty members who are interested in implementing a few of the goals to work with me this year.

*“(5) Developing some meaningful parent training models* to help children achieve success in school. We have a faculty task force presently working on the problems of underachieving pupils, and they will have the responsibility with extra resources to try and enlist trained parents in this process. Our work with BEEP may also help us learn how to train and utilize parents to help children achieve.

*“(6) Continuing efforts to improve the arts curriculum* and to integrate the arts more effectively with each other and with the rest of the academic curriculum. Although we have had to modify the organization of the Unified Arts program, we must continue to develop this concept.

*“(7) Developing guidelines for a new policy of community participation* in our school system. The key to a successful policy will be to create a balance which recognizes your excellent professional



Brookline High students constructed a scale model of Coolidge Corner for the Planning Department.

skills and yet shows sensitivity to the fact that the public wants to be more directly involved in school affairs. If we are mutually successful in establishing these guidelines, we will have a stronger school system and community.

*"(8) Improving our evaluative capability.* Feedback for teachers and supervisors is critical in order to guide all of our efforts in teaching and learning. We shall continue to utilize criterion-referenced tests developed by teachers and supervisors as well as standardized tests; develop and utilize other instruments to measure social gains of pupils; and rely on the PPBS system, which has proven to be of help in our program development.

*"(9) Being concerned about the cultural diversities of our pupils and parents* and opening up opportunities for Brookline children to be exposed to the great ethnic and cultural richness of all the nationalities and races, which make up metropolitan Boston. This means continuing support for METCO, the Cross Cultural Program, the work of the Metropolitan Planning Project, and the Education Collaborative. Underlying all these efforts is the idea that participation must be voluntary and the programs must be educationally sound before we participate.

*"(10) Continuing our commitment to innovation and change* as society calls on the schools to carry an increasing burden to solve problems which other social institutions are unable or unwilling to tackle. This priority is especially important in Brookline because the nature of our student body and community is changing each year. As our student population goes down, the replacement families are requiring more attention. Thus we must expand the schools as community service centers, not only for school-age children but for pre-schoolers and for the elderly. We must in fact become a cradle-to-grave service, not because it wouldn't be easier to concentrate on reading and writing skills alone, but because we have no choice when the social needs are in front of us. Expressed in program terms, this means more dental and medical services, more psychological and psychiatric support services for whole families, expanded food services, articulating BEEP into the school system, more day care and recreational and leisure activities after school and during vacation periods, more services to the elderly and more involvement of them in school programs, concern for the moral education of pupils, more attention to human relations and more services to the handicapped."



Kindergarteners show Jacqueline P. Clement, Assistant Superintendent of Schools for Curriculum and Instruction, how they can write their names.

#### **Lincoln School Gets Go Ahead From Town Meeting But Is Turned Down By Referendum Vote**

On May 14, after seven years of planning and several hours of debate, Town Meeting voted by a 73 per cent majority (166-60) to replace the present Lincoln School (built in 1932) and Sewall School (built in 1892) with a single building on a new site.

In spite of a 66 per cent turnover in Town Meeting membership, six different Town Meetings have approved more than \$1 million for the purchase of the site and for architect's fees. These funds have been expended. Because of the low construction bid, the final cost approved by the 1975 Town Meeting was \$6.9 million, \$1.2 million less than anticipated.

The proposal was passed with two important provisions. First, no construction funds will be expended by the Town unless the state agrees to pay 65 per cent (\$4.8 million) of the cost. Second, Town Meeting voted to bond the project, which reduces the tax impact to less than 1 per cent of the tax rate, or an average over the next 12 years of only 60 cents.

During debate on the proposal, it was noted that all elementary schools in Brookline are operating at or above capacity. Pierce and Lawrence will have to accommodate the children from the Marsh project (scheduled for completion in 1977) and the Thatcher Street project (scheduled for completion this year). Each of the Town's newer schools, Heath and Runkle, have three portable classrooms for excess students. Finally, kindergarten enrollments for next year show a 15 per cent increase over last year on the basis of pre-registration.

Subsequently, by citizen petition, a special referendum was held on June 18, 1975, at which time the vote of the Town Meeting was overturned.

The present Lincoln and Sewall Schools must continue to serve the children of the Lincoln School district.

## Chapter 1196

*Town's regulations on new textbook law outlined:*

The Brookline School Committee voted in October, 1974, to accept the recommendations of the ad hoc committee on the implementation of Chapter 1196, Acts of 1973. The new state law mandates that the cities and towns of Massachusetts provide textbooks for students of the town who attend private and parochial schools.

The ad hoc committee was chaired by School Committee member Brian Conry, and included among its members Committeepersons Viola Pinanski, Ellsworth Rosen, and Natalie Zuckerman, Superintendent Sperber, Assistant Superintendent Ann E. Macdonald, Sister Mary Eichorn of St. Mary's School and Dr. Baruch Brody of the Maimonides School.

Recommendations approved included a system which would call for the expenditure of \$28,566 for the purchase of textbooks to implement Chapter 1196 in fiscal years 1976 and 1977. Thereafter, the amount to be allocated for the purchase of new books will be the same for the pupils in private schools as it is for those in the public schools.

In addition, the School Committee approved a recommendation that a sum of money be appropriated to hire a temporary librarian to set up a card catalog of textbooks used in the school system. Also, funds are to be appropriated next summer for a secretary and a work study student to receive, mark and distribute the books to families of private school students who initiate requests for

such books through Dr. Clement's office at the Town Hall.

The following are the rules and regulations adopted to implement the new law, as adopted by the School Committee on October 21, 1974:

1. Any Brookline resident enrolled as a pupil in a private school that has been approved under Section 1 of Chapter 76, General Laws of Massachusetts, may request the loan, free of charge, of textbooks which are the same as those purchased for use in the Brookline Public Schools.
2. A textbook shall be defined as any hard or soft covered book, 7 or more of which are used for classroom instruction.
3. It shall be the responsibility of the individual student to initiate a request to borrow textbooks.
4. A listing of textbooks which are purchased for use in the Brookline Schools will be provided in a card catalogue cross-indexed by author, subject and grade level. Each card will contain the following information: a) the title, b) author, c) publisher and copyright date and d) cost of the text. The card catalogue shall be available at the Brookline High School Library and at the Main Library on Washington Street. (Providing this meets with the approval of the Library Trustees.) Application forms will be available at these locations as well as in the office of the Assistant Superintendent of Schools for Curriculum and Instruction, fifth floor of the Town Hall.
5. Only those forms approved by the Brookline School Committee will be used for such requests, and any such form shall include the following information:



*Children from the Baker School lend enthusiastic support to Lt. Robert Regan of the Brookline Fire Department, who educates them on "Learn Not to Burn," the theme for the fire safety program this year.*



Assistant Superintendent Ann E. Macdonald retired in 1975 after 27 years of service to the Brookline Public Schools.

- a) Student's enrollment and grade, verified by the private school which the student attends;
- b) Student's residence, verified by both the private school which the student attends, and his or her parent or guardian;
- c) A statement of responsibility, signed by the parent and the student as follows:

I hereby agree that textbooks loaned by the Brookline Public Schools to me (or my child or ward) at my request, shall be returned to the lender at the end of the school year (or before) in good condition, and if lost or abused, shall be replaced by me at my expense upon the request by the Assistant Superintendent of Schools for Curriculum and Instruction of the Brookline Public Schools.

- 6. In order to borrow texts for the following September completed application forms must be returned by mail or in person to the office of the Assistant Superintendent for Curriculum and Instruction no later than May 1.
- 7. All textbooks borrowed in one year must be returned or paid for by June 30, of the school year in which they were borrowed. No books will be issued to pupils who have failed to comply with this regulation.
- 8. The Assistant Superintendent of Schools for Funds and Facilities shall designate the depository where books may be picked up and so notify students who have filed application on or about August 1.
- 9. Textbooks purchased by the Brookline School Committee and loaned to private school pupils under this regulation shall be labeled appropriately "Textbook on Loan — Property of the Brookline School Committee."

The staff is currently engaged in implementing the regulations and will review them with the Ad Hoc Committee next year.

#### B.H.S. Ranks First In Number Of Graduates Going On To Four-Year Colleges

Brookline High School ranked first among schools in the Greater Boston area in 1973 in the number of graduates it sent on to four-year colleges, according to an analysis recently released by Brookline School Guidance Director Roger Aubrey. The comparison, which placed the highlights of the 1973 year against the figures of 1971, matched Brookline High with eight selected suburban school systems in this area, and compared those figures with the statewide summaries.

In 1971, Brookline ranked fourth in terms of graduates going to four-year colleges, and was led by Wellesley, Lexington, and Needham. In 1973, Brookline High School was first in that category, and Wellesley was second. In 1971, Brookline had 60 per cent of its graduates going to four-year colleges, while Wellesley's figure was 65 per cent. In 1973, 64 per cent of Brookline's graduates went on to four-year colleges, while Wellesley had 62 per cent in that group.

Other highlights from the report:

— In 1973 Brookline High School (with 76 per cent) was exceeded only by Wellesley (with 77 per cent) in the number of graduates going on to two-year and four-year colleges. In 1971, Brookline was tied with Newton (with 70 per cent) for fifth place in this category, behind Wellesley (79 per cent), Lexington (77 per cent), Needham (74 per cent), and Belmont (74 per cent).

— Brookline was second in 1973 in the number of its graduates going on to four-year private colleges. Newton was first with 53 per cent, and Brookline had 52 per cent. Brookline was second also in 1971 in this category, with 49 per cent, while Wellesley was first with 54 per cent.

— In 1973, Brookline was approximately at the mid-point in the number of graduates going directly into the world of work (15 per cent). However, the range here was narrow, with a low of 12 per cent in Lexington and a high in Arlington of 25 per cent, among the surveyed school systems. In 1971, Brookline was also at the mid-point: The range was wider in that year, with a low in Needham of seven per cent and a high in Arlington of 29 per cent.

— Brookline students electing two-year public and private colleges rose from 10 per cent in 1971 to 12 per cent in 1973. This figure is low among Greater Boston schools, but is only five percentage points from the highest school, which had 17 per cent in this category. In 1971, Brookline and Wayland were tied for lowest in this area, with 10 percent going on to two-year private or public colleges.



Elderly Brookline residents gather for one of frequent meetings held by the Brookline School Volunteers.

### \$590,000 Grant Continues Unique BEEP Project

— In 1973, Brookline was topped only by Belmont in the number of graduates continuing their education beyond high school. Brookline's percentage was 80 per cent, while Belmont's was 83 per cent. In 1971, Brookline was ranked sixth in this category, with 78 per cent, while Lexington led with 85 per cent.

**Departmental Milestones . . .**

RETIRING after 27 years as teacher, principal and assistant superintendent of schools for curriculum and instruction is Ann E. MacDonald, who became assistant superintendent during the tenure of Dr. Ernest R. Caverly and continued her service for the past ten years under Dr. Robert I. Sperber . . .

REPLACING Miss Macdonald is Dr. Jacqueline P. Clement, who served in a similar post in Hanover, New Hampshire . . .

APPOINTED Brookline principals are Helen H. Herzog, who takes her Runkle School post as of July 1, 1975, and Dr. Larry W. Dougherty, whose appointment at Heath School is effective on the same date, and who has held the job on an interim basis since last July, when Principal Mary G. Stephanus retired. Ms. Herzog's appointment formally fills a post left vacant by the death last year of Principal Babette H. Raphel.

CLOSING OUT 51 years of service to the School Committee, most of it as secretary to the School Committee and business agent to the School Department, is Helen V. O'Brien, who was the indispensable person to three superintendents of schools — Dr. Oscar C. Gallagher, Dr. Caverly and Dr. Sperber.

The Carnegie Corporation of New York recently announced a grant of \$590,000 to the Public Schools of Brookline, to continue the Brookline Early Education Project (BEEP), an experimental school-based program that provides education and health diagnostic services of children during infancy and the early years of life. The educational component is being funded by Carnegie Corporation, while the Robert Wood Johnson Foundation of Princeton, New Jersey, is supporting the health diagnostic services.

Carnegie Corporation had contributed two previous grants totaling \$511,000, while the Johnson Foundation's original grant was \$400,000. Johnson voted another grant of \$642,386 in mid-October. The goal of the program is to ensure optimal physical and intellectual growth during the preschool years so that no child will reach kindergarten age with an undetected learning handicap.

*Approach is preventive.* "It is not the intention of BEEP staff to force or accelerate a child's development," says project director Donald Pierson. "On the contrary, our approach is preventive. We assume that the primary role of education in the early years is with the parents, but we are offering them specialized assistance in creating the conditions that will nurture their children's growth. By working with parents from the time of the child's birth to school age, we hope to save remedial efforts that may be needed later on."

Robert I. Sperber, Superintendent of Schools, who initiated the program in 1972, says "If BEEP is successful in its goals, we may see a shift in orientation of many school and community health services toward prevention rather than remediation.

This, in turn, may influence nationwide educational policy to show an increased concern for the earliest years of life."

Taking part in BEEP on a volunteer basis are 285 children and their parents from Brookline and the black and Spanish-speaking communities in neighboring Boston. The children participating in the program were born between March 1, 1973 and September 30, 1974. Previous Carnegie and Johnson grants financed the planning period and the first phase of BEEP, the Infants Program, where BEEP staff monitored the child's development in the home.

The new two-year grant will enable BEEP to continue the home program for the more recently enrolled infants while starting a pre-kindergarten program at its educational center for the project children when they become two and a half years old.

The experiment intends not only to assess in general the impact of special educational and health services on these children, but to measure the differential effects of three levels of educational effort and their respective costs in order to offer Brookline and other communities interested in undertaking a tax-supported preschool program a chance to choose the model which seems to be

the most effective in relation to cost and the resources available.

*Difference in 3 levels.* The three levels differ in the amount of scheduled contact between BEEP staff and the families. The first level includes frequent home visits every two or three weeks by a teacher with a background in child development who is also a parent and group discussions with parents. The second level also includes group meetings and home visits but only about every four or six weeks. The third has no formally scheduled discussions or home visits.

All families, however, will be encouraged through free transportation to visit the center to take advantage of its toy library and reading materials on early childhood, to leave their children in specially staffed and equipped playrooms, view films and videotapes, and to join with teachers and other parents in discussions and workshops.

With funds provided by the Johnson Foundation BEEP's children are also provided with a variety of diagnostic health services through the Children's Hospital Medical Center in Boston. Under the direction of Dr. Melvin Levine, these services include regular physical, neurological and psychological examinations, discussions with parents about the child's development, and reports to the family pediatrician or health care center.



Devotion School children perform in song . . . "The Loudest Noise."

# LIBRARY

There was a marked increase in the use of Public Library services in 1975. Undoubtedly some of this increased use can be attributed to economic conditions, but much of it is the result of the fine library resources available, and the continuing effort of the trustees and the library staff to provide the services needed by the community. The provision of this standard of resources and services is gravely threatened by the steeply rising costs of books and periodicals and the necessity to curb expenditures which has affected all Town departments. Over the years, the Library has greatly benefited by the income from several trust funds established by public-spirited citizens. With the shrinkage of the municipal dollar, private financial support to supplement public funding is now increasingly necessary and welcome.

## Circulation of Library Items

The borrowing of library items was at a record high of 546,465 for the period January 1, 1975 through December 31, 1975. This figure represents an increase in use of almost 13% over the previous year. Nearly 28,000 Brookline residents have library cards. An additional 2,939 library cards have been issued to non-residents. The number of free library cards issued to non-residents has more than quadrupled over the preceding year as a result of the extension of free library borrowing privileges to the residents of Newton and Boston.



Main Circulation Desk – Main Library

Brookline residents also have free reciprocal borrowing privileges available from Newton and Boston and a number of other communities.

Over 360 films were borrowed from the Boston Public Library for organizations such as extended day care centers, schools, senior centers and nursing homes. This film service to the community is possible because the Library is a member of the Eastern Regional Library System.

## Programs for Adults

The best attended library programs for adults were film programs. These included the popular Senior Cinema at the Coolidge Corner Branch Library, Senior Specials at Putterham Branch Library and Film Classics at the Main Library. There were additional programs of afternoon and evening films at the branch libraries, including a series entitled "Pioneers of Modern Painting," borrowed from the National Gallery of Art and sponsored in cooperation with the Boston College Department of Fine Arts.

Friends of the Chestnut Hill Library, Inc. also provided a series of interesting lectures for adults at this branch. These included lectures on "K. Gibran, Man and Myth," "The Return of the Good Old Hotel," a mini exhibit of "Etchings and Lithographs by 19th and 20th Century Artists," and "Development of Downtown Boston."

In cooperation with the Brookline League of Women Voters, the Library supported, for the second year, a series of programs on town government.

An attendance of 10,000 was recorded for the various adult programs.

## Book Sale

During a weekend in late October the Library held its first sale of withdrawn and duplicate books. As a result of the twelve hour sale, the amount of \$2,153 was forwarded to the Town's general treasury.

## Reference Services

Bicentennial publicity and the display of pictures of old Brookline houses in the Library have inspired many people in the Town to come in and

research the history of their homes. The Library also received gifts of dissertations on "Samuel Winkley Cole, New England Music Educator" and "Everyone Who Was Anyone in Brookline, Mass., 1705-1875" in appreciation of staff assistance in their compilation.

The Reference Department at the Main Library has been busier than usual, especially in the late afternoons. During one recent month when a count was kept, 2,500 people telephoned or stopped by the reference desk in person, seeking assistance with research or general information.

### Publicity and Displays

The Brookline *Chronicle-Citizen* has been generous in allotting space to Library programs. It is also now publishing a weekly calendar of library events.

Wall displays in the lobby at the Main Library have been used to show our collection of old valentines, historic photographs of the Town, and some of our fine folios. We have exhibited works by Brookline artists and photographers and also some limited edition drawings by a well known comic strip artist.

At the Coolidge Corner Branch Library there was a series of art and photography shows by local artists in the indoor garden.

### Library Services to Children

Children of all ages come with their parents to the Library, making it a focal point of community interest as they stay to use the record players and read together.

There are seven story hours per week and four film programs per month. The story hours are essentially for pre-school and kindergarten groups. Film programs have a high attendance, the most recent one at the Main Library drawing an attendance of more than 150 children.

Beginning in October, the Children's Room in the Main Library was opened on an experimental basis one evening a week. This schedule continues under study to determine usefulness to the community.

Friends of the Chestnut Hill Library have presented original and stimulating programs which received enthusiastic response from the children. The pet show, snake show, magic show and the Banjo Man with his puppets gave the children much pleasure.

An attendance of 6,000 was recorded for the various children's programs throughout the Library system.



Catalogues – Main Library

### Use of Assistance from the CETA Program And Work Study Program

The Library has received generous assistance from the CETA program. In Technical Services CETA personnel have been used to start work on the reclassification of music scores and part of the juvenile collection. During the summer they gave assistance with moving the stack collections and washing the dust and grime from the general book collection. We continue to use enrollees in the Work Experience program of CETA as library pages in Adult Services areas. The Library has also successfully employed college students through work-study programs.

### Technical Services

No service to the public would be possible without the work of the Technical Services Division. This Division is responsible for the ordering, classifying, cataloguing and preparing for the shelves — books, phonograph records, cassettes, government documents, pamphlets, microfilm and music scores for the entire Library system.

The Head of Technical Services reports the major concern of cataloguers in the last quarter of the twentieth century is the effect of computerization on catalogues. Can the integrity of the catalogue be maintained? How long will the traditional cataloguing services at Library of Congress last? What changes must be made at the local level to accommodate the on-line cataloguing services anticipated at the Library of Congress by 1980?

Decisions are difficult because there is no cut and dried answer to any of these questions. We expect that the Brookline Public Library will eventually have computer terminals connected with Library of Congress. In the meantime, as much preparation as possible will be done to ease our adaptation to these changes.

# PLANNING AND DEVELOPMENT

## Planning

### Organization And Function

The Planning Board consists of five appointed citizen members who serve in an advisory capacity on the whole range of Town planning and community development issues. Herbert L. Shivek was elected Chairman by the Board. William D. Mehegan, the former Chairman, retired after 17 years of dedicated service.

The Planning Department serves as staff for both the Planning Board and the Board of Selectmen. The department has six full-time professional planners and is administered by the Planning Director who is appointed annually by the Board of Selectmen.

The planning function in Brookline is responsible for four major objectives:

- identifying community development issues, problems, and strategies.
- preparing comprehensive policies and plans to guide and implement long-range development of the Town.
- analyzing the impact and effectiveness of implementation tools such as zoning and offering revisions when necessary.
- providing advice, information and coordination on the wide range of town development projects, programs and policies.

In fulfilling these objectives, the work load of the Board and Department is concentrated in five areas: zoning administration, community development planning and programming, comprehensive planning, capital improvements programming, and technical services.

### Zoning Administration: Environmental Design Review

One of the significant accomplishments of the Planning Board and staff in 1975 has been the implementation of the town's innovative design review regulations and strict development controls. Through environmental design review, first adopted in 1971 and broadened considerably in December of 1973, the Planning Board and staff, working with interested citizens, the Building Department and the Board of Appeals, have the opportunity to review and give constructive shape to physical design in the town. Of the 104 Zoning



New signs reviewed in 1975

Board of Appeals cases reviewed by the Planning Board in 1975, 59 involved design review.

Most of these cases affected the town's major shopping areas, with the Planning Board and staff reviewing and giving substantial guidance on the many submissions involving sign changes, facade renovations, and major changes in commercial property. Pictures of several of this year's most outstanding examples are included in this report.

Major developments reviewed in 1975 by the Planning Board included an MHFA financed mixed income apartment and townhouse development for elderly persons and families at 120 Centre Street, a mixed income apartment at the St. Mark's Church site with special provisions for handicapped persons, and a condominium apartment development with some retail space at Brewster Terrace on Harvard and Centre Streets in Coolidge Corner. The major Town project reviewed by the Planning Board was the proposed Lincoln School.

In order to increase public awareness of the Town's visual environment and to aid in the design review process, two manuals prepared by VISION, INC. with the assistance of the Board and Department were published in 1975. The first, *Fixing Up Older Houses*, is a renovation manual designed to



Before



After

assist the homeowner in maintaining both the physical and aesthetic quality of his dwelling in order to preserve the Town's distinctive architectural heritage in its older houses. It is being used as a handbook for the Central Village Rehabilitation Program. The second is *A Guide to Environmental Design Review*, illustrating the successful application of the Town's design review criteria to a broad range of planning problems. This manual will be amended periodically to include case studies of projects which have resulted in an environmental benefit to the community. These studies were made possible through a \$15,000 "701" grant to the Town from the Federal Department of Housing and Urban Development.

As in previous years, the Planning Board continued to review the Zoning By-law and map, and proposed a number of technical changes to the By-law which were considered by Town Meeting in November along with several map changes proposed by citizen petition. Several of the text changes which were adopted by Town Meeting strengthened the regulations pertaining to attached houses in two-family districts, a subject of great concern to several neighborhoods. At the end of the year, the Planning board was considering amendments designed to improve and simplify the sign design review process. These amendments will be submitted to the 1976 Annual Town Meeting.



Before



After

Design review at work: Commercial facade renovations



Original Arches - 1935



Concealed Facade - 1974

Restored Arches - 1975

#### ARCHITECTURAL HERITAGE PRESERVED THROUGH DESIGN REVIEW

#### Community Development Planning And Programming

The passage of the new Housing and Community Development Act of 1974 has added new dimensions to the Town's planning function. With a block grant program replacing the old categorical grant programs such as urban renewal and code enforcement, all future community development programs have to be designed and administered by the Town. This change resulted in a substantial increase in the planning workload during the winter and spring, partly supported by the HUD "701" grant, since the program and application had to be prepared in a very short time period for the first year's Community Development entitlement of \$1.2 million.

The Town's Community Development application was approved by HUD in June. In August, Mary Weafer joined the planning staff as Community Development Program/Project planner. The Planning Department worked with other Town Departments and agencies to set up the rehabilitation program for the Central Village area and to design and present to citizen groups plans for public improvements, particularly street work, including widened sidewalks and street trees. The Planning Department also started work on the Coolidge Corner commercial area studies under the C.D. Block Grant.

In the fall, the Department worked closely with the Council for Planning and Renewal, the citizen advisory group designated by the Selectmen to insure public participation in the Community Development application process. After public hearings sponsored by the Council, a general program for fiscal 1977 was prepared by the Department, approved by the Board of Selectmen, and adopted by the November Town Meeting. The staff then began the job of preparing the detailed application to be submitted in early 1976.



Coolidge Corner Improvement Study

#### Comprehensive Planning

The Town's program of comprehensive planning received major financial assistance through a \$35,000 "701" Comprehensive Planning Assistance Grant from the Federal Department of Housing and Urban Development. As a result of this grant, Joanne Fong joined the Department in July as the primary staff planner working on the three major "701" work items: completion of the Comprehensive Plan revision, preparation of a housing study, and formulation of a plan for an urban information system for the Town. The staff made substantial progress on a new draft of the Com-

prehensive Plan in accordance with the revised format recommended by the Comprehensive Plan task force, a subcommittee consisting of representatives of the Planning Board, the Comprehensive Plan Review Commission and the Council for Planning and Renewal. The Planning Department has also served as staff for the Moderator's Committee studying the impact of subsidized housing. The results of this study are significant with respect to both the Comprehensive Plan revision and the Housing Assistance Plan which is part of the Community Development Program application. An interdepartmental committee established by the Selectmen's office, including the Planning Department, has prepared a proposal for a consulting contract for a review of the Town's long-range data processing needs. The consultant, expected to be chosen in January 1976, will be paid by the HUD "701" grant.

to the Selectmen's Office, other agencies for which the Planning Department provided general information and technical expertise ranging from environmental assessments to landscaping designs include the Bi-Centennial, Conservation, Historical and Park and Recreation Commissions, the Building, Public Works, School and Transportation Departments, and the Housing and Redevelopment Authorities, as well as neighborhood groups and individual citizens.

The Planning Department also worked with a variety of regional and state agencies including the MBTA on station improvements, the MAPC and the Office of State Planning on state growth policies, the Mass. League of Cities and Towns and the Urban Affairs Committee of the Legislature on the Zoning Enabling Act, and EPA on the bicycle portion of the Transportation Control Plan for the Boston region.



Department publications supporting Town's rehabilitation efforts

### Capital Improvements Programming

With the necessity for fiscal restraint becoming more urgent each year, the responsibility of the Planning Board along with the Board of Selectmen in coordinating and preparing the six-year Capital Improvements Program has become even more important. All proposed capital expenditures of the various departments were evaluated in terms of priorities and relationship to the Comprehensive Plan. As a result of this evaluation, agency requests of almost \$8 million were eliminated from the six-year program.

### Technical Services

As staff levels of other departments have remained constant or have been reduced due to budget considerations, reliance by these departments on the technical services of the Planning Department increased significantly during the year. In addition



Department's landscape design for Homer Street

Report preparation continues to be a significant work item since the department is responsible for the publication of various documents, including the Zoning By-law and map, the Capital Improvements Program, and various federal grant applications.

## Council for Planning and Renewal

The officers for the Council for Planning and Renewal this year are: President — Lawrence Koff; Vice-President — Philip Zeigler; Secretary — Dorothy Bruno and Treasurer — Marc Fried. There are currently 69 members on the Council; the Executive Board, which meets monthly, consists of 12 members in addition to the four officers.

This has been a very busy year for the Council, beginning with a review of the proposed second year program for Community Development Block Grant funding and the organization of seven sub-committees.

Community Development Block Grant public hearings were held at Town Hall and Coolidge Corner Library. There was a discussion and general description of the Community Development Block Grant given by Mark Eldridge, with an outline of its history, objectives, eligible and ineligible activities, a status report on the current year's program, the level of funding expected in FY 1977, and an application schedule. There was a question and answer period regarding the act and its potential uses. Finally, there were proposals made by town agencies, neighborhood associations and citizens regarding program priorities. Two people were appointed to attend the workshop given by Congressman Drinan in regard to Community Development Block Grants and their applications.

### CPR Sub-Committees

There are seven active sub-committees of the Council. They meet regularly throughout the year to give particular attention to specific areas of citizen interest and concern. The sub-committees are:

*Comprehensive Plan Committee —*  
MacDonald Barr, Chairman

A comprehensive plan of the Town, adopted by the Planning Board, provides the foundation upon which the Town's zoning, construction programs and neighborhood improvement programs are built. Five members of the Council are advising the Brookline Planning Department and the Planning Board of citizen interests in the revision of the Town's first Comprehensive Plan, which has been in effect since 1959. Other members of this committee are Marc Fried and Max Vigil.

This committee of the Council has joined with the representatives of the Comprehensive Plan Review Commission to advise the Brookline Planning Department and the Planning Board through an ad hoc "Comprehensive Plan Task Force" of 12 members. The "Task Force" reviewed the sub-

stance of the new plan, with discussion centering on issues of priority, and also on format, so that the document can be comprehended by the average user. Once the plan is completed, the Comprehensive Plan Committee will present the recommended draft to concerned citizens and representatives of neighborhood associations.

*Committee on Commercial Areas —*  
Karl Radov, Chairman

The Committee on Commercial Areas has been concerned with two broad issues: (1) The ability of the commercial areas to provide needed goods and services in pleasant surroundings, while producing the greatest property tax revenues, and (2) The limitation of the undesirable side-effects of commercial activity upon adjacent residential neighborhoods.

The work program of the committee covers several areas: (a) Should the Town of Brookline develop a policy for all departments and boards regarding the physical and/or commercial character of areas zoned for business and the mechanisms for implementing it? What should be the goals? (b) How to maintain the variety and the quality of goods offered in Brookline. What has caused some of the more "desirable" businesses to leave, and can the Town do anything about it? Should it? (c) What can the Town do to assure appropriate development of certain key land parcels? (d) What can be done to improve the physical conditions of buildings, circulation and street-scape?

*Committee on Zoning and Citizen Participation —*  
Craig Bolon, Acting Chairman

This is a new committee, now in the process of being organized. It will deal with the means by which citizen participation in major land use decisions can be increased. Among the major, and possible, topics for discussion are: (1) Increasing the content of the zoning and the Appeals Board notices, beyond the bare legal requirements, so that issues can be understood by non-specialists. (2) Holding at least some categories of appeals hearings in the evenings so that a larger number of citizens can attend. (3) Establishing neighborhood review procedures for some categories of permits, such as signs and automobile facilities.

*Housing Study Sub-Committee —*  
Esther Maletz, Chairman

Seven Council for Planning and Renewal members are on the Housing Study Committee, which was established in September 1975 pursuant to a vote

of the Selectmen and Town Meeting. The following work program, developed by the Housing Study Committee, was submitted to, and approved by Town Meeting in November: (1) Historical information (2) Evaluation of the fiscal, social and environmental impacts of existing subsidized housing (3) Evaluation of alternative approaches to determine the appropriate quantity of subsidized housing (4) Evaluation of the fiscal, social and environmental impacts resulting from different levels of subsidized housing (5) Determination of housing goals (6) Review of housing incentives (7) Specific recommendations for Town Meeting.

#### *By-Laws Committee —*

Philip Zeigler, Julie Moore-Ede, Co-Chairmen

Since 1966, the founding year of the Council for Planning and Renewal, we have become involved in a far greater range of activities, and we constantly seek ways in which the Council can represent the views and attitudes of the Brookline Community. Therefore, it is our feeling that this is an appropriate time to re-examine the by-laws of the Council, as well as to review the current composition of the Council in general, its Executive Board, and the process by which the Council is selected.

#### *Neighborhood Association Committee —*

Jody Dow, Chairman

The goals of the Neighborhood Association Committee were defined at the general fall meeting of 1974. The committee presently serves as a go-between for questions and problems of neighborhoods and the particular town agencies involved.

There have been two very well attended meetings to date. The working committee of six people has had contact with more than thirty of the neighborhood associations, and a good rapport is developing. At the first meeting in May, each association presented a resume of its membership, goals and problems. The major problems involved traffic and parking.

#### *Sub-Committee on Community Development*

##### *Block Grants —*

Terry Ann Vigil, Chairman

The sub-committee on Community Development Block Grants was formed in August. It had several organizational meetings to determine how to best assist in obtaining, and then integrating, inputs from Council members and interested citizens, and on how next year's funds should be allocated. The final set of recommendations had to be submitted to the Selectmen in October prior to Town Meeting.

As part of this effort, the committee met with representatives from neighborhood associations, and contacted them to inform them of the planning staff's questionnaire on priorities. Representatives of the committee attended hearings which were chaired by the Council for Planning and Renewal. The committee then followed up on questions raised at the meeting through the questionnaire. A series of meetings was held to accomplish this effort. The committee reported its findings to the Executive Board of the Council in early October. It then incorporated their questions and concerns in its recommendations to the Selectmen. Following a short review period with the town staff, planning and other line agencies, the final recommendations were submitted in October.

## **Redevelopment Authority**

The advent of Community Development funding in 1975 forced important revisions in approaches to conducting and planning urban renewal and rehabilitation programs. In Brookline's case, the change to CD funding with the concurrent abandonment by HUD of many funding mechanisms became grave concerns as the Authority worked to ensure successful completion of the Marsh Project, Mass. R-37, already well into execution, and to deliver the urban rehabilitation program long promised to residents of Central Village. In addition, the resultant funding problems experienced by the Authority necessitated a 45% staff cutback.

In dealing with these problems, the Redevelopment Authority was fortunate in acquiring two new

members: James P. Duggan was elected in March 1975 to fill the seat vacated by John M. Reed who ended eleven years of service to the Board. Mr. Duggan was subsequently elected by the Board to serve as Assistant Treasurer. In addition, Craig Bolon was named state-appointed member by Secretary William Flynn of the Department of Community Affairs on August 1, 1975. John M. Clancy, Herbert K. Bremner, and James M. Brown, continued as Chairman, Vice Chairman, and Treasurer, respectively. Bernard S. Kaplan serves as General Counsel. Charles B. Steward, Executive Director, and Francis J. Hickey, Associate Executive Director, continued staff direction as work progressed on the Marsh Project and the Central Village Rehabilitation Program.

## Marsh Project

Early in 1975, staff monitoring of the Marsh budget revealed that the upcoming change to CD funding would actually result in a loss of funds anticipated as part of the overall categorical grant for this Project. Accordingly, the Brookline Redevelopment Authority recommended to the Board of Selectmen that the Town prepare an application to the Department of Housing & Urban Development for "Urgent Needs Funding" in order to successfully complete the Marsh Project. These funds would be used to meet administrative and relocation costs and the construction costs of the air rights structure in Brookline Village. The Redevelopment Authority assisted in the preparation of this application and provided the historical background needed in meetings with HUD officials which helped convince them that the request for urgent needs funds was indeed justified. In May, Brookline received notification that the sum of \$800,000 would be granted to provide for the completion of the Marsh Project.

In July 1975, the Redevelopment Authority completed its negotiations with the Massachusetts Bay Transportation Authority for the leasing of air rights and the acquisition of land in the Brookline Village area for construction of the air rights structure. This construction commenced as soon as negotiations were finalized. The Marsh Air Rights Project is the first of its type in the Commonwealth and is designed to eliminate both environmental problems of noise and vibration and the physical blight occasioned by the presence of railroad tracks through the housing site. In addition, the top of the platform is a most economic means of providing necessary parking for residents of the Marsh Housing.

Acquisition of air rights was the last step in assembling the housing site for delivery to the developer. A Land Disposition Agreement was signed with Brookline Village Associates for the construction of 307 units of low and moderate income, family and elderly, Operation Breakthrough Housing.

The elderly housing will consist primarily of a 5-story building along Kent Street containing 116 units. An additional 37 elderly units will be interspersed among the family housing units. Overall, the 307 units of housing will have an economic mix of 25% low income, 50% moderate income, and 25% market rate housing. Regulations of the Massachusetts Housing Finance Agency will apply in determining rent schedules and application procedures.

It is expected that occupancy will begin sometime late in the summer of 1976 with total occupancy projected by late spring of 1977.

Additional construction took place in the Marsh Project during 1975. New Pearl Street was completed in accordance with the original urban renewal plan and Town specifications and standards. This street, which has been approved by the Commissioner of Public Works, is slated for presentation to the Town for acceptance by the 1976 Annual Town Meeting.

Campbell's Auto Radiator was successfully relocated on-site to Parcel IS-4 of the Marsh. Construction of a new building on this site was completed in the summer of 1975.

The Authority remains concerned with the future of Parcel B-2 of the Marsh Project which has been partially assembled. Funding for this Parcel had been requested from HUD under the Marsh Amending Application, approved by Town Meeting in 1972. However, the 1973 moratorium on funding imposed by the Nixon Administration and the subsequent change to Community Development funding prevented consideration of this application. Late in 1975, the Redevelopment Authority began discussions with the Planning Board concerning this parcel and it was decided that the staffs of the Redevelopment Authority and the Planning Department should study development potential of the site during 1976. Since this site is located between the Hearthstone Building and the Marsh Housing, and forms part of the "Gateway to Brookline," removal of its blighting influence seems to merit serious consideration by the Town. In addition, commercial development of the site would provide a substantial increase in tax revenue.



*A model of the Marsh Housing complex with air rights platform over the MBTA track*

### **Central Village Rehabilitation Program:**

The Special Town Meeting of November 1975 delineated the boundaries for the Central Village Rehabilitation Program. This same vote of Town Meeting authorized the Board of Selectmen to enter into a Cooperation Agreement with the Redevelopment Authority, thus assuring the Commonwealth that adequate financing will be available for project activities.

The Board of Selectmen and the Brookline Redevelopment Authority also successfully negotiated a Contract for Coordination Services which was executed on December 29, 1975. In conjunction with Town Departments and Agencies involved in this Program, the Redevelopment Authority looks forward to delivering a home improvement program to the residents of Central Village in 1976. To accomplish this Town aim, the Authority is charged with the constant monitoring of project activities and coordination of their planning and execution. Since the efforts of so many diverse Town Departments are required to deliver the services and improvements that will assure a successful program, coordination assumes a position of importance.

In December, the Authority was at work preparing to file an application to the Department of Community Affairs in connection with the Central Village Rehabilitation Program. This application will

provide the legal basis for implementation of the Program in the Central Village area under Massachusetts Law and provisions of the Community Development Act. It would also have the further effect of having an application filed with the Department of Community Affairs should state funding become available for such a program.

During 1975, the Redevelopment Authority held numerous discussions with local lending institutions in an attempt to assemble a locally-financed mechanism to provide loans to homeowners. Three Brookline banks have committed themselves to providing low-interest loans to homeowners in connection with the Central Village Program, and negotiations for determining an interest rate and terms were progressing well at year's end.

The formation of the citizens' advisory committee for the Central Village Rehabilitation Program was a prime consideration of the Authority in the closing weeks of the year. The Authority began contacting interested neighborhood groups, Town agencies and boards for representatives to this Committee. This Citizens' Advisory Committee will participate in the decision-making process in policy matters such as: establishing eligibility criteria, inspection and enforcement procedures, and determining public improvements and the timing and scheduling of project improvements.

## **Housing Authority**

### **Public Housing Inventory**

State-aided veterans (200-C).....	291 units
State-aided elderly (667-1).....	60 units
Federal low rent and elderly (33-1) .....	100 units
Federal — elderly (33-2-3-5).....	300 units
Federal — leased (Sec. 23, 33-4).....	100 units
State Rental Assistance (Ch. 707) .....	100 units
State family & elderly (Ch. 705) .....	84 units
Federal — HAPP — Sec. 8 (existing housing).....	50 units
Federal — HAPP — Sec. 8 (existing housing, newly completed — in application stage) .....	50 units
Total .....	1135 units

### **Social Services**

The Brookline Housing Authority works closely with all agencies in the Town of Brookline to make its tenants aware of services available to them.

Monthly meetings are held at the Housing Authority offices with representatives of the Community Service Center, Brookline Visiting Nurse Association, Multi-Service Senior Center, Health Department, Department of Veterans' Services, Brookline Association for Mental Health, the on-site Social Worker, and staff of the Authority. Elderly tenants, youth and families in all developments are assisted through the combined efforts of these workers and agencies. The Pride Sheltered Workshop at O'Shea House continues. Many tenants participate in this Town-wide program.

### **Multi-Service Senior Centers**

Multi-Service Senior Centers are located at Sussman House, O'Shea House, Theresa J. Morse Apartments and the Benjamin A. Trustman Apartments, to serve senior citizens in developments of the Authority as well as all senior citizens of the Town, with services such as: advice to homemakers, counselling, personal service, group pro-

grams, transportation, cultural and recreational activities and other valuable services. Quarters and all utilities are made available to Multi-Service through the courtesy of the Brookline Housing Authority at no charge.

The Council on Aging and its Multi-Service Senior Centers, in conjunction with the School Department, provide hot lunches at O'Shea House and Sussman House for senior citizens of the Town. Many tenants and other persons in the locality are served a nourishing and appetizing hot meal through this valuable program. Home delivered meals are provided on a short term emergency basis to tenants in other housing developments and to senior citizens of the Town as required.

### **Cooperative Programs**

Tenants assisted under the Federal leasing and State Rental Assistance Programs are made aware of all services available to Senior Citizens of the Town. The Brookline School Department's Adult Education Division conducts interesting and educational programs for Senior Citizens at all of the elderly developments.

The Recreation Department arranges arts and crafts classes, as well as social activities for Senior Citizens. It also serves the youth of the family developments with various programs.

The Health Department renders valuable services such as clinics for flu shots, glaucoma, blood pressure and other health services, at Housing Authority facilities. In cooperation with the Town Clerk, space for polling places is made available to the Town at no charge. The Brookline Public Library makes reading materials available at the elderly developments.

TASK (Teen Agers Serving Kids) continues its exemplary work with the youngsters at the Walnut Apartments. These high school students are to be highly commended for their efforts to assist these children. A second group sponsored by the Brookline Association for Mental Health conducts a similar program at the Egmont Street veterans' apartments.

The Garden Club of Brookline assists in the beautification of the Walnut Apartments and fills the planters and flower boxes at that location. The Housing Authority continues its summer employment of youths and cooperates with the Town of Brookline in supervision of youths working at Housing Authority sites under CETA and NYC programs.

The Brookline Housing Authority is most appreciative of the many services rendered to its tenants by Town agencies.

### **Management-Tenant Relationships**

The Authority and its Tenant Council, along with the Tenant Associations of each development, work together to improve tenant-management relationships. Tenant representatives meet with the Members of the Authority on matters of mutual concern.

The Authority, in conjunction with the Tenant Associations, conducted cook-outs in all developments, including the elderly. Entertainment and equipment for these occasions is provided through the courtesy of the Recreation Department.

### **Subsidies, Modernization, New Developments**

The Authority's fiscal agent received \$118,897 from the Commonwealth for its 200-C developments as subsidy to meet the cost of debt service. The Colonel Floyd Apartments received \$39,919 as its share of subsidy for 1975.



*The new Theresa J. Morse Apartments were opened in September.*

One hundred units of State Rental Assistance, Chapter 707, are under effective lease and annual contributions in the amount of \$129,307, were received as subsidy for 1975-1976.

The Federal low rent housing and housing for the elderly at Walnut Street (33-1), Sussman House (33-2) O'Shea House (33-3) and Theresa Morse Apartments (33-5) as well as the Federal leased (Sec. 23, 33-4) programs, received a total annual contribution of \$287,493 of which \$115,610 was subsidy for the leased program.

The State Modernization Program funds are used for the benefit of the developments and the safety and well-being of the tenants. At the High Street development, a complete new heating system with two new boilers was installed. Front doors are being replaced, and hallways and apartments are being painted on a routine schedule.

At the Col. Floyd Apartments, floors were replaced, black top walkways renewed, and louvres installed in crawl spaces. The Tenant Associations are consulted and cooperate with the Authority in planning of priorities and the implementation of the State Modernization Program.

Modernization of the Federal developments is being accomplished with funds made available through the Community Development Block Grant of the Town of Brookline. Windows have been replaced on one floor of 22 High Street in the Walnut Apartments and plans and specifications are being drawn for roofing at that development. Under this act \$40,000 per year for five years, has been approved.

The Benjamin A. Trustman Apartments at Egmont, St. Paul and Amory Streets consisting of 84 units,



*Dedicated in November . . . the Benjamin A. Trustman Apartments*

(34 elderly; 8-1BR; 6-3BR; 24-4BR; and 12-5BR), (705-1) were completed at a total development cost for acquisition and rehabilitation of \$3,800,000. This development was dedicated on November 12, 1975. The Theresa J. Morse Apartments at 90 Longwood Avenue, (33-5) providing 100 units of housing for the elderly and handicapped, was dedicated on September 10, 1975.

The Brookline Housing Authority received approval of the Department of Housing and Urban Development for a reservation of 50 units of "existing housing" under Section 8, Housing Assistance Payments Program, with an annual contribution of \$121,008. The program has been implemented and is progressing. An application is to be made for an additional 50 units of "newly constructed existing housing" under Section 8, Housing Assistance Payments Program.

## Building Commission

Design and construction of Town buildings continued throughout 1975 and the Building Commission met regularly to review design and construction progress.

During the year, Main Library construction was completed. Construction of the Devotion School alterations and additions, a \$5,700,000 project, is continuing with occupancy anticipated prior to the originally scheduled September 1976 date.

Proposals for the construction of the New Lincoln School were available for consideration at the Annual Town Meeting and the low bid was approximately \$1,000,000 under budget. Town Meeting voted funds for the project, but a subsequent

Town-wide referendum, in June 1975, upset the Town Meeting vote and the project did not proceed as scheduled.

Special Town Meetings in Fall and Winter 1975 voted funds for acoustic and masonry investigation of the New Pierce School and feasibility studies for the Lincoln School, Driscoll School and Lynch Recreation Center.

The masonry and acoustic investigations in the New Pierce School have commenced so that bids may be received, funds voted in the 1976 Annual Town Meeting, and corrective work completed during the summer of 1976.

Under Town By-Law, Article XV-A, Committees of Seven were convened to choose consultants for feasibility studies. An architect has been chosen for the Lynch Recreation Center, and a demographic analyst has been chosen to complete a Town-wide student population survey as the first part of the Driscoll School feasibility study. It is anticipated that the feasibility and population studies will be ready for presentation at the 1976 Annual Town Meeting.

The valuation of projects under the administration

of the Building Commission during 1975 exceeded \$15,000,000, including New Pierce School (\$6,700,000) and Main Library (\$3,400,000), in their closing phases; Devotion School (\$5,700,000), under construction; and Lincoln School, Driscoll School, and Lynch Recreation Center in design.

Throughout the year, the Commission experienced outstanding cooperation from all Town agencies and wishes to express its appreciation for their cooperation and assistance in the administration of the Town's building program.



*The Edward Devotion School, with new wing, completed in 1975*

## Board of Appeals

During the year the Board of Appeals handled 103 cases. The case load leveled-off after an increase of 111% over the previous two years, which was due primarily to the initial adoption and subsequent expansion of Section 5.09 of the Zoning By-law, Environmental Impact and Design Review.

The administrative workload and cost was increased this year when Town Meeting amended

the By-law requiring that, in addition to publication, the Town Meeting Members be notified by mail if a case is located in their precinct or is within 200 feet of their precinct. This will cost approximately an additional \$1,300, based on the current case load.

# HUMAN RESOURCES

## Health Department

In continuing the proud tradition of providing high quality public health services to Brookline citizens, the personnel of the Health Department instituted several new health services in 1975, and worked diligently to maintain the excellence of our established programs. These achievements, only a few of which are described in this brief report, were realized while the Town's expenditures for health services are being reduced.

### Child Health Services

The 150 infants and toddlers now enrolled in the Department's Well-Child Clinic are receiving high quality health care possible in a comprehensive, contemporary program. A team of health professionals, headed by an experienced pediatrician and a pediatric nurse practitioner, all work together to insure that the young children under their care get a healthy start in life.

Two exciting adjuncts to the Clinic have been developed. First, the Department entered its second year of providing newborn home visits by the pediatric nurse practitioner. In 1975, 282 infants and mothers were visited, resulting in 29 referrals to the Well-Child Clinic, 9 re-visits, and 4 referrals to other health care agencies. Second, the Department conducted its first eight-week course for new parents. An average of 36 couples attended each session, participating in group discussions and hearing experts speak on such subjects as childhood diseases, safety, nutrition, dental care, and child development.

### Day Care

The over 600 children who attend the 21 day care centers in Brookline are benefiting from an improved Day Care Inspection and Consultation Program. After spending several years on overseeing the correction of health, safety, and building deficiencies in many of the day care facilities, the Day Care Inspection Team, in 1975, was able to shift its emphasis to educational programs and to health-related aspects of day care, such as nutrition and health screenings. A new vision screening program was implemented, through which many

day care children with previously undetected eye problems were referred to private physicians or clinics for full diagnosis and treatment.

### Lead Poisoning

In an unexpected development, the Health Department discovered and is now following over 40 cases, ages 1 to 6, of above normal levels of lead in the blood. Accordingly, the Department is increasing its efforts to test annually every child in Brookline in this age range.

The Health Department now has the capabilities for finding the sources of childhood lead poisoning. The Town has purchased a highly sophisticated portable lead detector which works on the principle of x-ray fluorescense. Eventually, every house and apartment in Brookline which is inhabited by a child under the age of six will be inspected and the owners will be obligated to remove any lead paint. In the meanwhile, inspections are being done daily on a planned, priority basis.

### Alcoholism

With the assistance of a qualified CETA employee and several graduate students, the Department's Drug & Alcohol Program was able to see many more adolescents and adults who are either drug addicts or alcoholics. Despite this increased capability, many residents are not being seen or treated. Each day it becomes more apparent that alcoholism is a pervasive, destructive disease affecting a large percentage of Brookline families.

### Emergency Medical Services

In 1975, the Health Department participated in an inter-departmental effort to upgrade the Town's emergency medical services and to meet the requirements of the new Massachusetts Ambulance Law. As a direct result of these efforts, services have been immensely improved with the dispatch of specially trained Brookline Firefighters (Emergency Medical Technicians) in response to every call for medical assistance. Also, a detailed,

comprehensive plan for a Brookline Fire Department ambulance service was presented to Town Meeting, along with the commitment from the State to pay for one-half of the cost of a new, modern ambulance. However, the plan was rejected by Town Meeting and the issue is still under study.

### 1975 Statistical Highlights

- Over 120 students (from high school to graduate school) visited the Health Department for field observation and lectures.
- 14 undergraduate and graduate college students performed extended, supervised field placement work at the Health Department.
- The Health Department's Information Desk received close to 4,000 calls from citizens asking a variety of health-related questions.
- The 642 Brookline children enrolled in the Department's Dental Clinic made 3,773 visits to the Clinic.
- A total of 3,150 school children were screened for dental diseases; 300, or about 10% were referred for treatment.
- The Brookline Visiting Nurse Service conducted 118 Health Consultation Clinics for the elderly

during the year and made 485 special-need home visits.

- 263 residents were examined at the Department's Glaucoma Clinics, resulting in 9 referrals.
- 84 women were examined through the Department's Women's Cancer Detection Clinic; 24 of whom were referred for further diagnosis and treatment.
- Over 2,000 visits were made to the various, ongoing Blood Pressure Clinics and 560 residents came to the Health Department for x-rays.
- Brookline's Town Employees made approximately 2,520 visits to the Occupational Health Clinic.
- 240 Tuberculosis Tests were performed, with 4 positive cases referred for treatment.
- 1,042 citizens received influenza vaccine.
- 752 dogs were immunized against rabies.
- A total of 3,368 food sanitation inspections were made in 1975.
- 5,156 housing inspections were made.
- 2,400 solid waste complaints were answered.
- And, 951 measuring devices were sealed and 5,372 pre-packaged food items were checked for accuracy.

## Human Relations-Youth Resources Commission

It was a busy and fruitful year for the Human Relations-Youth Resources Commission which included a relocation of its offices to 62 Harvard Street, Brookline. The Commission conducted 14 public meetings, several of which were held in different sections of the town. The Commission continued to maintain its authorized membership of 15 with minimal changes. The current Commission membership is representative of all sections and elements of the community.

The present staff consists of a Director, Assistant Director, Youth Coordinator, Child Care Coordinator, Sr. Clerk & Steno, Sr. Clerk & Typist, part time Job Coordinator, and a high school typist intern. The staff work is further supplemented during the summer months by a work study student and several youth worker interns.

### Affirmative Action

The Commission's implementation of the Town's Affirmative Action Program for employment, vendors, and contractors was reasonably successful with much activity on both the local and regional levels. These programs have served as models for other commissions across the state as well as for

the Massachusetts Commission Against Discrimination. The Director served as a non-paid consultant to other communities and/or interested groups regarding affirmative action programs.

The Commission sponsored a regional affirmative action program last spring, which had representatives from the cities of Boston and Newton and the towns of Dedham, Needham, Norwood, Wellesley, and Framingham. This conference was addressed by Chairman Cochrane of the Board of Selectmen, Chairman Alexander of the Commission and other Brookline officials. The conference centered on intricacies involved in implementation of an affirmative action program.

The Commission initiated a program with the city of Newton for a joint effort in utilizing a broader affirmative action program in public service employment. A Commission staff person is a member of the Comprehensive Employment Training Act, Newton Subgrantee affirmative action committee.

It was also a year of heightened interest in different ethnic groups in the town. The Commission sponsored a Conference on Ethnicity at Pine Manor Junior College attended by 60 persons.

Speaking at the conference were area educators and specialists in intergroup relations. The program was supported by a grant given to the Commission by the New England Region of the National Conference of Christians and Jews.

As in the past, the Commission addressed the Brookline Police Academy on the religious, ethnic and racial make-up of the Town. Special attention was given by the Director to the sensitive situation of minority involvement in the criminal justice system. It was stressed that Boston's problems often become Brookline's, with complex inter-relationships in regard to crime and education.

The Commission has been active in assisting developers to receive subsidies from the Massachusetts Housing Finance Agency in designing realistic Affirmative Marketing Programs for the various developments within the town.

The Commission staff serves on various public and private human relations oriented committees. Some of these include: the Archdiocesan Ecumenical Commission's Committee on Catholic-Jewish Relations; the Jewish Community Council Committees on Urban Affairs and Human Rights; the American Jewish Committee's Committee on Civil Rights and Civil Liberties; and the Boston Advisory Council to the Massachusetts Commission Against Discrimination.

The Commission was very active in the area of anti-Semitism and responded in a positive way to derogatory literature that was disseminated during the year.

The Commission noted an increase in the number of complaints regarding alleged discrimination in housing and employment. The staff responded to these complaints and resolved each of them to the satisfaction of all concerned.

The staff was informally actively involved in crisis situations involving racial, religious and ethnic conflicts, some of which are a reflection of core city tensions. The Commission and its staff will continue to strive to prevent and solve such incidents before they reach unhealthy proportions.

### **Youth Affairs**

The Commission's Committee on Youth Affairs, consisting of adults and youths, advises the Youth Resources component on its various activities and responsibilities.

The Jobs for Youth Program continued to be a major concern and priority in that the Commission believes employment offers youths a means of earning money for personal expenses, further education and/or supplementing family incomes. Jobs also contribute to delinquency prevention by

constructively channeling youth energies, teaching responsibility, providing a work and training experience, and affording youth from the various sectors of the community the opportunity to know one another better by working together.

The agency actively recruits jobs and places youths aged 14-22 in after-school, summer, odd-jobs, and full-time employment in the public and private sectors. During the school year, most available positions are in the private sector — hospitals, nursing homes, offices, stores, restaurants, movie theatres, factories, warehouses, etc. An odd-jobs program including babysitting, household chores, snow removal, gardening, yard work, and errand-running is especially designed for 14 and 15 year olds, since few private businesses will hire youths under 16 years of age.

The federal government's Comprehensive Employment and Training Act (CETA) greatly expanded the role of this agency in coordinating and administering the federal manpower programs which offer a variety of training and employment programs for both youths and adults. The agency continues to actively participate in the planning of programs for the Newton Sub-grantee area by serving on the Area Manpower planning Board; making referrals to the central CETA office in Newton; arranging the job and training positions; counseling applicants when necessary; and handling the administrative work of the Brookline programs. About 60 after-school public service positions in Town departments and private non-profit agencies were available in 1975 throughout the CETA Youth Work Experience In-School Program. Eligibility for this federally-subsidized program is determined by family income.

The summer job program was divided into four components: private sector, (97 placements); CETA Youth Work Experience Summer Program, (133 placements); Mini-Public Service Program (98 placements); and the Mini-Code Program (102 placements). The CETA summer program, subsidized by the federal Department of Labor, was open to high school youth aged 14-22, based on family income. The Mini-Programs were supported by the Town of Brookline and were differentiated by the use of lower middle income eligibility guidelines established by the Federal Department of Housing and Urban Development for the Mini-Code Program. In both Mini-Programs there were an equal number of male and female participants and representation from every precinct in Brookline. In all government-subsidized programs, youths were placed in a variety of public and private non-profit jobs throughout the town. The program not only benefited the participants, but also increased the level of services which the town departments could provide. The agency received

letters from all department heads involved expressing appreciation of the program and acknowledging the outstanding work of the youths.

The following is a summary of the Jobs for Youth Program in 1975:

After School-Private Sector .....	179
After School-Public Sector .....	60
Summer-Private Sector .....	97
Summer-Public Sector .....	333
Full Time/Permanent-Public Sector .....	12
Full-Time-Public Service Employment .....	20
CETA Full-Time Training Program .....	10
Total Number of Placements .....	711
Total Number Interviewed .....	958

Another major area of priority and emphasis was the Parks, Playgrounds and Streets Program, utilizing the detached worker concept to prevent problems and to respond to neighborhood complaints, which, for the most part, concerned excessive noise, debris and vandalism. Twelve youth worker interns were assigned to Dean, Eliot, Lawrence, Clark, Robinson, Coolidge, Cypress, Downes, Corey, Driscoll, Griggs and Larz Anderson Parks and Playgrounds and the Coolidge Corner Area. The Commission cooperated with and had the full support of the Recreation Division, Police Department, the Courts and the neighborhood associations. As a result of the close cooperation of the police and the relationships between the interns and the youths, noise was curbed, the areas were generally cleared of debris, and there was a drastic reduction in vandalism. It is well to note that unlike many of the surrounding communities, there were no serious disturbances or

confrontations between the youths and adults or town agencies.

The Human Relations-Youth Resources Commission continued to coordinate its efforts with those of the Park and Recreation Commission to reinstitute the "Supervised Youth Night Program" during the summer months, which consisted of extending the hours of the Pool and the Soule and Tappan Street recreation facilities.

The Commission provided several services to Brookline child care facilities and to families needing day care for children. Included in these services were information and referral; the publication of a free guide to Brookline child care services, to be annually revised; organizing and giving technical assistance to child care programs, including all after-school day care programs operating in Brookline elementary schools; coordinating resources and in-service training programs for child care staff; advocating the improved delivery of children's services; and serving as liaison with state and town departments.

Believing in its objectives, goals and philosophy, and impressed by its effectiveness, the Commission continued support for the New Perspectives School an alternative high school serving youths who have left or been expelled from the school system. By devoting special attention to the psychological and social growth of its students, as well as to their educational and vocational needs, New Perspectives has been able to provide positive and constructive opportunities for youth.

Support was also maintained for the Brookline Arts Center. Aside from its regular course selection, the Arts Center conducted vacation and evening programs for youth.

## Council on Aging

The Brookline Council on Aging celebrated the beginning of its twentieth year in June, with commendations on its work from both the State Secretary of Elderly Affairs and the Regional Director of the U. S. Administration on Aging.

The Council, composed of six town agency heads and seven concerned citizens, operates the Brookline Multi-Service Senior Centers, which have been recognized nationwide as pacesetters in dealing with the problems and needs of the elderly. Requests for information and advice have come from agencies and other groups in New York, New Jersey, Pennsylvania, Maryland, Virginia, Iowa, Arizona and Colorado, as a result of the attention the centers have received in "Aging"

Magazine and other publications. Photographs of activities at two of the centers were included in the December issue of "Better Homes and Gardens."

The Multi-Service Senior Centers are located in four low-income elderly housing buildings, as well as at Pierce School and the Brookline Health Center. Professional, para-professional and volunteer workers staff the centers, which are designed to provide the comprehensive services elderly and handicapped adults need to lead dignified and independent lives in the community. Over the years, the staff at the centers has broadened the scope of services as the needs of the large elderly population in Brookline were identified on the daily logs of the Information and Referral Service.



*Transportation of the elderly, including those in wheelchairs, is made possible by this multi-service van.*

Mrs. Evelyn Greenman, Executive Secretary to the Council, and Director of the Multi-Service Senior Centers, has taken an active role in helping to formulate policies that effect the elderly. She serves as chairman of both the Advisory Council to the Area Agency on Aging and the Local Officials Human Service Council. She is a member of the Advisory Council to the Department of Elderly Affairs and the executive committees of the Massachusetts Association of Gerontology and the Boston University Gerontology Center. She continues to serve on the Massachusetts Public Health Council.

#### **Information and Referral**

Elderly people in need of information or aid may call any of the Multi-Service Centers, although the main information and referral office is at 90 Longwood Avenue (739-5011). If another agency, such as the Visiting Nurse Association, Social Security Office, the Department of Community Services or the Mental Health Clinic, is better suited to handle a problem, the caller is referred. When the requested service is not offered elsewhere, members of the Multi-Service Centers staff provide assistance.

#### **Social Services**

The Multi-Service Senior Centers have developed a broad base of temporary and continuing services that reach senior citizens in Brookline. Calls for help in critical situations are handled through the crisis intervention service. Counselors make home visits to make assessments, then aid is provided by appropriate agencies or by the Multi-Service counselors and community aides. Follow-up care is considered very important in these cases. Counselors from Multi-Service are prepared to help older people with personal or family problems

which represent upheaval in the lives of those who undergo them.

Protective services are provided to those whose physical or mental limitations prevent them from living independently without some risk to themselves or others. For elderly shut-ins who live alone, there is a telephone reassurance program, staffed primarily by volunteers who are themselves senior citizens. An emergency medical record is kept for each client. They receive regular calls at prearranged times, so that they are assured of both friendly outside contacts and security in case of illness or an accident. Shut-ins also may receive friendly visits from volunteers and community aides under a new program established this year and directed by Multi-Service counselors.

Community aides and volunteers also will perform personal services that include shopping, letter writing and bill paying. Chore services are provided for frail elderly persons who find it impossible to do the necessary cleaning in their homes. Supplements for those who are unable to afford the price of such services are arranged on a sliding scale.

#### **Health**

All of the Multi-Service Centers issue emergency medical I. D. cards for the elderly, which list the information necessary for emergency medical care. Senior citizens may also use the cards to receive discounts at local businesses that offer senior rates.

Filing for aid under the federal Medicare and Medex programs can sometimes be a complex process, so the Multi-Service Senior Centers have the services of a retired attorney, who consults with the elderly in these matters during office hours four days a week at the Multi-Service Centers.

Weekly health consultations with nurses from the Brookline Visiting Nurse Service were held at each unit of housing for the elderly. Blood pressure clinics were offered with the consultations once a month. These were also held every week at the Brookline Health Department. The Health Department sponsored periodic screening programs for diseases such as glaucoma and hypertension, which are prevalent among the elderly, and town-wide flu shot clinics for the elderly and infirm were held this autumn. Educational films or lectures concerning health were presented at places convenient to older people by the Health Department, in cooperation with the Multi-Service Senior Centers.

### **Nutrition**

The Brookline Public Schools cooperated with the Multi-Service Senior Centers to offer hot lunches at a minimal cost for the elderly. The meals were served weekdays at 50 Pleasant Street, 61 Park Street and the Pierce School. When school kitchen facilities closed for summer vacation this year, the Multi-Service staff and volunteers continued to prepare and serve lunches at Pierce School for twenty to thirty senior citizens, so that 1975 was the first year the hot lunch program continued without interruption. The meals are delivered to the homes of elderly persons on a short-term emergency basis. Referral from a doctor or nurse is required.

Through the Multi-Service Senior Centers, tenants at 61 Park Street and 90 Longwood Avenue are able to participate in a food cooperative. Staples such as milk, bread and eggs are delivered regularly at discounted prices and volunteers receive the orders and help distribute them to tenants. A nutritionist from the Health Department has given weekly classes at the various centers.

### **Transportation**

Two Brookline taxi companies made vehicles available to the town as a public service for use by the elderly and handicapped, and the Multi-Service staff members arranged and scheduled the use of the vehicles. The Elder Cab, provided by Red Cab, transports people living on small incomes to medical appointments and hot lunch programs for ten cents. The Multi-Service Van, supplied by Bay State Cab Company, runs similar errands and can accommodate wheelchairs. Multi-Service workers also provide schedules for the Minibus operated by Massachusetts Bay Transit Authority. The vehicle enables older people to do local errands and ride to shops, libraries and banks at a cost of ten cents.

### **Adult Day Center**

Since it opened in 1974, the Pierce School Community Room has evolved into a busy senior drop-in center, where older people may find conversation, coffee and companionship. Staffed by community aides and volunteers from the Multi-Service Senior Centers, the Pierce School Community Room is open every weekday for hot lunches, a weekly Bingo game, a musicians' workshop, birthday and holiday celebrations, discussion groups and a wide range of classes and cultural programs.

### **Cultural Programs**

The Multi-Service Senior Centers cooperate with several other town agencies to sponsor programs planned particularly for older people. The Brookline Public Library offers two free Senior Cinema film programs each week at the Coolidge Corner and Putterham branch libraries. The Department of Adult Education of the Brookline Schools sponsors classes for senior citizens at times and places most convenient to the elderly. Subjects range from knitting to square dancing to opera appreciation. The Multi-Service Centers provide coffee and cookies for these meetings. A new senior speakers series, in which experts in various specialties discuss their interests with groups of older people, has just been initiated by the Multi-Service Centers and small group tours of museums, the arboretum or historic sites are arranged throughout the year by volunteer guides according to the interests and wishes of the older tourists.

### **Volunteer Opportunities**

Older people are welcomed as volunteers for the Multi-Service Senior Centers and are helpful in almost every aspect of the work. A Teacher's Aide program, in which elderly people volunteer their services to children in the Brookline Public Schools, was initiated last year and has proven very popular. Approximately fifty senior school volunteers are now enrolled. Volunteer supervisors from the School Department and the Multi-Service Centers cooperate to enlist, train and thank these older volunteers. Senior volunteers are also called upon to help other town agencies. They helped run the flu shot clinics held by the Health Department this fall.

### **Student Placements**

The Multi-Service Centers have attracted graduate level students from the Harvard School of Public Health, the Harvard Business School, the University of South Florida, and Boston University School of Nursing. The students provide valuable assistance to the staff while completing their practicums and internships.

## Veterans' Services

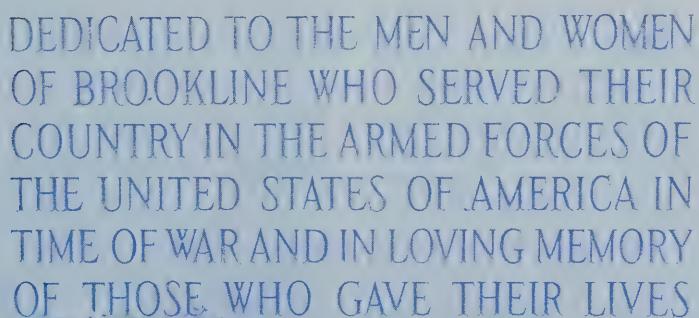
The Department of Veterans' Services motto is a quotation from President Abraham Lincoln . . . "To care for him who shall have borne the battle and for his widow and his orphan."

Ever since there has been an America for which men fought and gave their lives, there have been benefits of various kinds for those who served and for the families of those who did not return. For an equally long period, there has been government machinery to administer the benefits. The first benefits on record in America were enacted by the Pilgrims of Plymouth County in 1636, who provided that any soldier injured in defense of the Colony "shall be competently maintained by the Colony during his life."

This Department functions under Chapter 115 of the General Laws of Massachusetts, to provide fi-

nancial and medical assistance when necessary. The empathy with which the staff performs its duties has never been more necessary than it is now. Unemployment has consistently run very high during the past year. Full advantage was taken of C.E.T.A. (Comprehensive Employment Training Act) and the Division of Employment Security in obtaining available positions. However, many applicants exhausted their unemployment benefits and found it necessary to come to our office. As has been done in the past, all avenues of revenues were explored in an effort to save the taxpayers' money and yet adhere to the provisions of the law.

The agency acts as liaison to the Veterans' Administration and it is prepared to discuss accurately the full range of VA benefits: compensation



DEDICATED TO THE MEN AND WOMEN  
OF BROOKLINE WHO SERVED THEIR  
COUNTRY IN THE ARMED FORCES OF  
THE UNITED STATES OF AMERICA IN  
TIME OF WAR AND IN LOVING MEMORY  
OF THOSE WHO GAVE THEIR LIVES

*The Soldiers' Monument at Town Hall honors Veterans of all wars.*

and pension, hospitalization and outpatient care, education, home and business loans, insurance, special housing, auto grants and other benefits too numerous to mention that are provided by the Veterans' Administration or other Federal, State or local agencies.

The local Social Security office has been most cooperative in processing the Supplemental Security Income applications completed in this office. This benefit is for persons over sixty-five, dis-

abled or blind, and who are on a very limited income.

In keeping with a tradition, started after the Civil War, all veterans' graves located in Brookline cemeteries were appropriately decorated with an American flag. Memorial services were held on May 23rd and the parade and exercises on May 26, a day on which we commemorated the valiant deeds of all veterans, especially those who died for their country.

## Rent Control Board

In 1975, the Rent Control Board continued to process substantially the same volume of work as experienced in previous years. The Board dealt with a total of 829 cases, which included the hearing of 507 petitions and applications, issuing 42 proposed decisions and having 280 cases settled or withdrawn by consent of the parties.

Two major cases involving the Rent Control Board were decided by the Massachusetts Supreme Judicial Court in 1975. In one the Court upheld the Board, reversing a lower Court finding, and ruled that judicial review of Board rent adjustment decisions should be a review of the record of the administrative proceedings and not a trial de novo. In the other case the Court ruled that condominium conversions by landlords did not warrant the Board's prohibition against issuing certificates of eviction based on such grounds. As a result of this ruling, the Board promulgated several guidelines to be followed in such cases where condominium conversion is the basis upon which an application for a certificate of eviction is filed.

In June, the Selectmen's Revenue and Rent Control Study Committee report was issued after having exhaustively studied the matter for over two years. The report concluded, based on its data, that rent control was not causing any significant shifting of the tax burden from one group of property owners to another. Further, the report recommended that the Assessors and the Rent Control Board coordinate their efforts in working towards common goals for the benefit of the Town. As a result of this recommendation, the Rent Control Board voted to schedule hearings on properties referred to it by the Assessors where such properties were filed for tax abatements but were not filed for a rent adjustment within the previous 12 months.

In June, a newly appointed Rent Control Board elected David Pfeiffer as Chairman pro tem and,

later, in October, elected him as permanent Chairman.

In July, the Board voted to schedule a public hearing for August 12, 1975 on the question of a general adjustment. After the public hearing, the Board thoroughly debated the issue. The majority voted to have a general adjustment of 11.4% for those properties which had not received an individual adjustment decision from the Board during the previous two years. This increase covered two years of tax increases, fuel, electricity and general cost increases such as maintenance and insurance.

The Board also amended its capital improvements policy by allowing an annual rate of return of 10% on the average unamortized cost of the capital improvement over its depreciable life.

In October, the Board issued a legal opinion that newly created parking spaces were exempt from rent control in an effort to encourage the creation of additional parking spaces by property owners.

In November, realizing that Chapter 842 of the Acts of 1970 (State Rent Control Act) was about to expire on December 31st, and noting that the Legislature had not taken any action to extend rent control beyond the end of the year, the Selectmen voted to have a Special Town Meeting to consider the adoption of a by-law drafted pursuant to the authority of Chapter 843 of the Acts of 1970 (Brookline Rent Control Enabling Act). On December 16, 1975, the Special Town Meeting, by an almost unanimous vote, voted to adopt Article XXXVIII of the Town By-Laws. The new rent control by-law became effective on December 31, 1975, after approval by the Attorney General of the Commonwealth, and thus assured the Town of Brookline of the continuation of the same kind of effective rent control program as had existed since 1970.

# NATURAL RESOURCES & RECREATION

## Park and Recreation Commission

### PARK DIVISION

The Park and Recreation Commission, in its continuing effort to upgrade the physical facilities of the Park System, opened six tennis courts at the Amory Playground in August, reconstructed with the new Har-Tru granular surface. Federal funding assisted in defraying 50% of construction costs. The event met with overwhelming enthusiasm on the part of the tennis community. However, shortly afterward, the Dean-Beacon tennis facility was rendered totally inoperative due to flooding caused by the breaking of a 48" M.D.C. water main. Planning efforts to return the facility to service have already been implemented. Tennis revenues rose 27.8% over 1974 to a record \$16,172.

General landscape maintenance was stepped up at all park facilities in response to increasing recreational use. The Putterham Meadows Golf



Larz Anderson skating rink takes on new look from March to November - 4 new tennis courts

Course experienced a most successful season, highlighted by the introduction of the winter golf program. This, coupled with increased cash play resulted in a 10% increase in revenues to \$146,334.

The new skating rink operated at peak efficiency, greatly saving time in providing a professional ice surface for record numbers of skaters. Rink revenues rose 56.8% to \$17,738 for the season.

The Park Division, along with the Schick Park Neighborhood Association, is in the process of testing dog defecation disposal units located in Schick Park in response to the increasing dog problem in all parks. Preliminary reports show good results when neighborhood involvement is present.

A fall tree planting of 47 shade and ornamental trees was carried out with Community Development Block Grant funds for parks and playgrounds in the Central Village Rehabilitation area. Those areas involved were: Brook Street Playground, Kent Playground, Brookline Avenue Playground, Emerson Garden, Robinson Playground, Harry Downes Field and Boylston Playground.

Planning efforts to provide sufficient open field facilities continued with new emphasis being placed on night lighting to increase participation time.



"Playable Sculpture" at Amory Playground

## RECREATION DIVISION

The year 1975 saw large increases in attendance at the various Recreation programs. The state of the economy seemed to cause people to stay home, rather than spend their money on vacations, camps and the like.

### Main Facility

All regular programs at the Main Facility at 70 Tappan Street continued at their usual pace. Tennis was one of the most popular activities, with lessons for young people featured on Saturdays and Sundays. The Sunday morning program, for those unable to participate at other times, proved very worthwhile for family recreation.

### Morning Play

The year saw a continuation of the popularity of Morning Play groups. The class previously meeting at the Veterans' Housing on High Street was changed to the Soule Center. By using a leased bus we were able to transport the children from a basement room to a beautiful country setting. The pilot afternoon day care program proved to be very successful and continued with the maximum number of children allowed. They enjoyed a complete afternoon of activities following a hot lunch. In addition to special events and swimming, this past year saw a skating program for those children able to participate.



*Children at the Soule Summer Day Camp meet a visiting tiger at their "Halloween in August."*

### Summer Day Camps

Our greatest increase in attendance came in this program as the number of children enrolled rose from 635 to 904. The excellence of the staff, versatility of activities, and minimal fee combined to create a great demand. The camps were in session at Eliot, Beacon, Soule, Lawrence, Lynch, and at the Baldwin School for atypical children. There is no fee charged for the Baldwin Day Camp but the Town realizes a 50% reimbursement for the program.

### Golden Age

The Brookline Golden Age Club continued its active pace. Its weekly meetings, bingo games, summer day trips, and other activities culminated with the greatest holiday party ever held, as 900 members of the club gathered together in celebration of the season. The year also saw the introduction of recreation programs at the Theresa Morse and Trustman Apartments, as those facilities were opened to the elderly in 1975.

### Swimming Pool

Two new programs were initiated at the Municipal Pool. Classes were conducted in cardio-pulmonary resuscitation with the cooperation of the American Red Cross and the Heart Association. Three members of the pool staff were certified as instructors and all pool personnel completed the course. Also, a class for women, called aquacise, was started, and is taught on Mondays at 9:30 a.m. The swim team, sponsored by the Commission, hosted a relay carnival with 250 competing swimmers. A capacity crowd saw Medford, Belmont, Wellesley, Woburn, Wightman Swim Club, Ursaline Academy, and Brookline swimmers participate.

Volunteers were extremely helpful in our year-round program and played an integral part in its completion. The Recreation Department is also extremely grateful to Mr. Leo Picardi, Commissioner of Public Works for his cooperation in supplying gasoline for our leased bus. Despite the decrease in our summer staff, none of our activities were curtailed. Our appreciation goes to Mr. Joseph McCormack, Director of the Human Relations Youth Resources Commission, without whose cooperation in sending young workers to us, the day camp programs would not have prospered.

## Tree Planting Committee

For the first time in many years, the Committee began to see the light at the end of the tunnel with reference to the epidemic infection of Dutch Elm disease contracted by the Elm tree population of the Town. A total of 448 trees were removed from the roadsides throughout the Town, 334 by Forestry Department Personnel and 114 by private contractors. The Sugar Maple dieback problem seems to have subsided due to the fact that very few Sugar Maples remain on our roadsides. Priorities

still remain for DED tree removal and the subsequent replanting of numerous species of new trees, in spite of the ever present necessity for the rotating tree pruning program, that has been curtailed in the recent past as a result of the epidemic. The Tree planting program was expanded to include an Autumn planting, bringing the total of newly-planted trees for the year to 546 involving 18 different species.

## Conservation Commission

Many Town departments have become much more comfortable over the past several years with the concept and practice of conservation. This expanded awareness freed Commission members to devote more time and in-depth study to the Town's land resources. By the end of 1975, the Commission had under review the final draft of a comprehensive open space analysis and plan for the Town of Brookline. The study dramatically revealed the discrepancy in open space in different parts of town. The Conservation Commission is pursuing a variety of ways to protecting and expanding Brookline's open space resources.

### Hall's Pond

The Conservation Commission spent much time in 1975 on the Hall's Pond Sanctuary. Ownership of the land transferred officially to the Town in early spring. State Self-Help and Federal Bureau of Outdoor Recreation reimbursement funds amounting to 75% of the purchase price were awarded to the Town. The first major activity at Hall's Pond Sanctuary following acquisition was a clean-up of the area on Earth Day. The Park Department trucked away numerous loads of leaves, branches, brush, rusting appliances and trash. Among other things, a motorcycle and a bicycle frame were dragged from the waters of the Pond. At a Sunday afternoon reception, on June 15, the Town officially dedicated the Hall's Pond Sanctuary. Secretary of Environmental Affairs, Dr. Evelyn Murphy, Congressman Drinan, other officials and nearly two hundred citizens participated in the ceremonies. New fencing has been installed and a sign placed in position. Over the summer Youth Resources workers prepared a trail, did much pruning and basic maintenance, cleared further litter and garbage from the site and kept a thorough inventory of birds frequenting the area.

To assist with ongoing maintenance the Commission created and is incorporating independently

the "Friends of Hall's Pond." This organization will consult with the Commission on various aspects of maintaining the area and implementing the land use plan. Many citizens have already joined Friends of Hall's Pond and they have given enormous assistance to the Commission. We would especially like to thank for their devotion and support, Ms. Elizabeth Ann Liddle, Ms. Josephine Albrecht, Ms. Nancy Hall, Ms. Ruth Clapp, and Ms. Dorothy Arvidson.

### Land Acquisition

In December, with the strong support of the Conservation Commission, Town Meeting further expanded the Amory Street recreational complex by authorizing the acquisition of 1½ acres of natural land on the north side of the park, owned by St. Dominic's Institute, Inc. The Commission shall maintain this area in a manner consistent with and complementary to the Hall's Pond Sanctuary. We envision this property accommodating many passive recreational activities.



*The June dedication of the Hall's Pond Sanctuary included a Tree Planting.*

## Wetlands Protection

The Conservation Commission continued to implement the Wetlands Protection Act in the Town. The Commission vastly expanded its background information on the Town's wetlands. Resource Analysis, Inc. of Cambridge prepared an exhaustive study of the Muddy River (where all the Town's wetlands hearings to date have occurred) and its floodplain. Over the summer, Roy Deitchman, an Audubon Intern, mapped the Town's wetlands and helped clarify the Commission's role on wetlands issues. A carefully annotated wetlands atlas, as well as an issue of the Green Times devoted entirely to wetlands, resulted from the summer's research.

The Commission held three Wetlands Protection Act hearings and issued three Orders of Conditions. The Order of Conditions dealing with the Marsh Housing Project was the most complex and comprehensive order to date issued by the Commission, demanding, among other things, maintenance of the storm drain runoff waters feeding the Muddy River at a Class B water quality level, and extensive initial landscaping to prevent erosion as well as an ongoing maintenance and replacement policy for the plantlife on the site.

## Charles to Charles And Other Projects

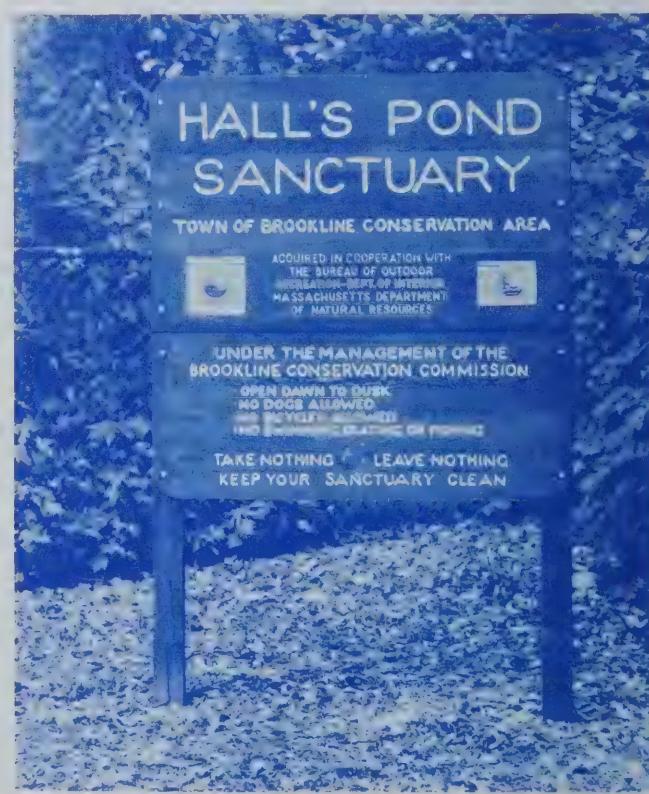
The Commission continued its interest and work on the Charles-to-Charles corridor. Further conservation restrictions are on the horizon. The Commission was pleased with the final publication of the Harvard Graduate School of Design book on the Charles-to-Charles — an in-depth study of the middle segment of the corridor with extensive suggestions of design possibilities for this linear park.

Although the Conservation Commission failed in its initial attempt to obtain federal money for its environmental information package, it has continued to expand and refine ideas on how the Commission can assist in the environmental education of Brookline's schoolchildren and citizens. Private contributions as well as further federal money are being sought. Many Brookline teachers, members of the School Department and the School Committee have enthusiastically supported this endeavor.

The Conservation Commission continues to seek gifts of restrictions, land and money in an effort to protect and preserve some of our Town's open space heritage. The generosity of citizens and several significant foundation gifts have boosted the Conservation Fund to several thousand dollars. We welcome and encourage such commitment to Brookline's future.

The Commission continued in its concerns for better public transportation, an active street tree planting and maintenance program, and curbside pickup of recyclable material, mainly newspaper, bottles and cans. The Commission sponsored a spring bird walk and a spring tour of the D. Blakeley Hoar Natural Area, and a winter waterfowl walk in November. In addition to the Hall's Pond clean-up on Earth Day, the Commission coordinated clean-ups in many neighborhoods, and hosted, at Amory, environmental exhibits and walks and bike tours of Brookline throughout the day. Carol Hammond, who has produced the Ecol-later for Brookline school children, won the Environmentalist of the Year Award. On this day we initiated a gardening-in-containers contest which was enthusiastically received and saw sixty-one winners.

Ellen L. Watson replaced Dorothy Cranshaw as the Conservation Assistant in August. Hooper Brooks continued as Director and the Commission is grateful for his expertise and devotion to the cause of conservation. The seven Commission members are grateful also to the many Brookline citizens who volunteer their time and various skills. Without the assistance of these many dedicated volunteers, we would accomplish far less. It is through our combined efforts that we can continue to keep Brookline an environmentally healthy place to live.



# FINANCE

## Board of Assessors

The Board consisted of Chairman Francis E. Ryan, Aryeh R. Friedman and George F. McNeilly. Robert A. Merritt was reappointed Assistant Assessor.

As a result of the Court Decision in the "Sudbury Case," the State Tax Commission required all 351 communities in the Commonwealth to submit plans for implementing the mandate of the Court to bring assessments to full and fair cash value. The Assessors submitted articles at two Town Meetings requesting funds for temporary staffing, professional assistance and computer conversion of existing records to a data processing program,

but these articles failed to pass. The Assessors were again requested by the State Tax Commission to submit a plan to comply with their earlier request. A preliminary plan was submitted under date of December 7, 1975, with no approval as of December 31, 1975.

The net amount to be raised by direct taxation for fiscal year 1976 was \$38,085,448.80. The tax rate was set on September 2, 1975, and was approved by the State Tax Commission at \$84.00 per thousand dollars of valuation.

### COMPARATIVE RECEIPTS AND AVAILABLE FUNDS

	Fiscal 1975	Fiscal 1976	Increase	Decrease
Available Funds	\$ 843,944.40	\$ 1,177,400.29	\$ 333,455.89	
Available Funds to Reduce Rate		1,000,000.00	1,000,000.00	
Federal Revenue Sharing	1,000,000.00	1,150,000.00	150,000.00	
Overestimates	38,875.75	27,052.02		\$ 11,823.73
Estimated Receipts	6,432,452.57	7,646,230.57	1,213,778.00	
	\$ 8,315,272.72	\$ 11,000,682.88	\$2,697,233.89	\$ 11,823.73
Net Increase			\$2,685,410.16	
Amounts to Be Borrowed	\$ 5,388,000.00	\$ 450,000.00		
Net Amount to Be Raised	\$ 36,076,208.00	\$ 38,085,448.80	\$2,009,240.80	\$4,938,000.00

### COMPARATIVE VALUATION

Land	\$131,827,200.00	\$131,686,700.00		\$ 140,500.00
Buildings	300,572,600.00	302,100,000.00	\$1,527,400.00	
Total Real Estate	432,399,800.00	433,786,700.00	1,386,900.00	
Personal	18,552,800.00	19,611,500.00	1,058,700.00	
Total Value	450,952,600.00	453,398,200.00	2,445,600.00	
Excise Through 12/31	33,556,550.00	45,613,155.00	12,056,605.00	

### COMPARATIVE AMOUNTS TO BE RAISED AND APPROPRIATED

Appropriations	\$36,620,516.86	\$39,847,127.33	\$3,226,610.47	
From Available Funds	1,843,944.40	2,327,400.29	483,455.89	
Court Judgments	17,759.59	63,855.97	46,096.38	
Overlay Deficits	656,382.23	169,441.25		\$486,940.98
State Exam. Retirement	1,044.90	1,255.50	210.60	
Municipal Accounts Audit	3,870.27	17,676.01	13,805.74	
MDC Parks	619,982.06	630,656.56	10,674.50	
MDC Sewer	374,268.11	397,713.86	23,445.75	
MDC Water	541,968.60	639,793.44	97,824.84	
Boston Met. District Expenses	979.42	1,223.95	244.53	
MBTA Deficit	1,566,271.00	2,154,359.00	588,088.00	
Elderly Retiree Program	7,986.89	7,680.20		306.69
Excise Bills	5,570.25	3,539.85		2,030.40
Air Pollution Control	6,234.96	5,139.36		1,095.60
Special Education (1972-766)	2,000.00	111,695.00	109,695.00	
Met. Area Planning Council	2,918.45	8,763.75	5,845.30	
Underestimates & County Deficits	70,369.63	241,201.55	170,831.92	
County Tax	1,007,794.54	1,131,128.71	123,334.17	
County Hospital	69,935.19	80,659.72	10,724.53	
Overlay	618,036.79	843,710.00	225,673.21	
Boston Arena Authority	11,649.49			11,649.49
Direct Expenditure	341,997.09	402,110.38	60,113.29	
	\$44,391,480.72	\$49,086,131.68	\$5,196,674.12	
Net Increase			\$4,694,650.96	\$502,023.16

# Treasurer and Collector

## TREASURER'S REPORT OF RECEIPTS AND DISBURSEMENTS

In Accordance With G.L. Chapter 41, Section 35

Cash on hand December 31, 1974	\$ 1,922,330.38
1975 Receipts .....	135,326,334.76
Total .....	<u>137,248,665.14</u>
1975 Disbursements .....	<u>134,172,737.13</u>
Cash on hand December 31, 1975	\$ 3,075,928.01

### DETAILED STATEMENT OF CASH ON HAND DECEMBER 31, 1975

Boston Safe Deposit	
& Trust Co. ....	\$ 1,312,647.39
Brookline Trust Co. ....	713,172.76
Capitol Bank & Trust Co. ....	10,000.00
First National Bank	
of Boston.....	10,000.00
Harbor National Bank	
of Boston.....	10,000.00
National Shawmut Bank	
of Boston.....	222,559.38
New England Merchants	
National Bank .....	104,951.75
New England Merchants	
National Bank — Capital	
Improvements Account.....	285,906.09
Norfolk County Trust Co. —	
Federal Grant Code	
Enforcement Program .....	1,088.03
Norfolk County Trust Co. —	
Code Enforcement Program	
Cash Escrow .....	5,610.00
Norfolk County Trust Co. — 701	
Comprehensive Planning Grant...	1,245.49
Norfolk County Trust Co. —	
Community Development Grant ..	211.27
Norfolk County Trust Co. —	
Community Development	
Program Cash Escrow .....	51,348.00
Town Bank & Trust Co. ....	40,555.19
U.S. Trust Co. ....	45,153.64
Unity Bank & Trust Co. ....	10,000.00
Cash and Checks in Office .....	247,680.68
Cash Memorandum .....	3,798.34
Total .....	\$ 3,075,928.01

### DETAILED STATEMENT OF TOTAL FUNDED DEBT DECEMBER 31, 1975

<b>Schools and Sites</b>	
*High School Gymnasium .....	\$ 655,000.00
*High School Addition (1964) .....	315,000.00
*Runkle School Construction	
(1961) .....	70,000.00
Land Acquisition —	
Pierce School .....	140,000.00
*Pierce School Construction (1971)	4,070,000.00
Land Acquisition — Lincoln School	300,000.00
*Lawrence School Addition (1972) ..	1,925,000.00
Lawrence School Equipment .....	25,000.00
*Devotion School Additions and	
Alterations .....	5,385,000.00
Subtotal.....	\$ 12,885,000.00

### Public Buildings and Sites

Land Acquisition —	
Coolidge Corner .....	\$ 135,000.00
Branch Library —	
Pleasant St. Addition .....	195,000.00
Branch Library — Pleasant St.	
Remodeling .....	10,000.00
Main Library Addition (1971) .....	930,000.00
Main Library Remodeling (1971) ....	795,000.00
Town Hall and Police Station .....	370,000.00
Fire Station — Babcock Street.....	75,000.00
*Urban Renewal — Marsh (1967) ....	150,000.00
*Urban Renewal — Marsh (1969) ....	210,000.00
Parking Facility — Underground	
Garage (1971) .....	650,000.00
Washington Street Overpass .....	375,000.00
Solid Waste Transfer Station .....	825,000.00
Subtotal.....	\$ 4,720,000.00

### Sewers and Drains

Construction of Sewers	
and Drains .....	\$ 398,000.00
Construction of Sewer —	
Brook Street.....	140,000.00
Sewer Improvement Program —	
Federal Sewer Facility Grant.....	1,185,000.00
*Construction of Water Mains .....	705,000.00
Subtotal.....	\$ 2,428,000.00
Grand Total.....	\$ 20,033,000.00

\*Outside Debt Limit

**LIMIT OF INDEBTEDNESS**

Equalized Valuation.....	\$709,000,000.00
Debt Limit — 5% .....	35,450,000.00
Amount of Debt Outside	
Debt Limit.....	13,485,000.00
Net Debt Subject to	
Debt Limit.....	6,548,000.00
Remaining Borrowing Capacity .....	28,902,000.00

**LOANS IN ANTICIPATION OF REVENUE****—1975—****New England Merchants**

National Bank .....	\$ 2,550,000.00
National Shawmut Bank	
of Boston.....	1,750,000.00
Boston Safe Deposit	
& Trust Co.....	500,000.00
First National Bank	
of Boston.....	500,000.00
Brookline Trust Co. ....	450,000.00
Harbor National Bank	
of Boston.....	250,000.00
Total .....	\$ 6,000,000.00

**BOND ANTICIPATION NOTES****—1975—****New England Merchants**

National Bank .....	\$ 300,000.00
Harbor National Bank	
of Boston.....	250,000.00
Norfolk County Trust Co. ....	250,000.00
Brookline Trust Co. ....	130,000.00
Town Bank & Trust Co. ....	100,000.00
U.S. Trust Co. ....	100,000.00
National Shawmut Bank	
of Boston.....	40,000.00
Total .....	\$ 1,170,000.00

**INTEREST PAID ON SHORT TERM DEBT****—1975—**

Interest Paid on Loans in	
Anticipation of Revenue .....	\$ 29,919.79
Interest Paid on Bond	
Anticipation Notes.....	9,369.86
Total Short-Term	
Borrowing Cost .....	\$ 39,289.65

**INTEREST EARNED ON INVESTMENTS**

Investment of Surplus Revenue .....	\$ 192,894.51
Investment of Bond Proceeds .....	69,002.77
Investment of Revenue	
Sharing Funds .....	42,212.69
Total .....	\$ 304,109.97

**Comptroller****Retirement System**

In 1975 much publicity was given to the so-called "unfunded pension liability" of Massachusetts Contributory Retirement Systems. Simply put, unfunded liability is money owed to fund present and prospective retirees. The present law requires that the appropriating authorities provide only enough to pay benefits due in a given year; thus no provision has been made for benefits that would come due in succeeding years.

The annual increase in pension appropriations has caused great concern to taxpayers and has resulted in an extensive study at the state level to determine exactly what the "unfunded liability" represents. When developed for local retirement boards, this will undoubtedly require some hard decisions as to the future of the system. Pension reform is being called for, which will unquestionably result in recommendations to increase employees' contributions, to reduce benefits, and to establish stricter standards for disability pensions

and for investment of funds. Moreover, we will probably see review of the so-called heart and lung laws, as well as consideration of Social Security for public employees.

Conferences with persons who will have substantial input to reform at the state level suggest that any action at the local level would be futile, because the problem affects all retirement boards, and any remedy must be provided equally for all concerned.

Cost of living adjustments to pensioners, once mandated, are now subject to local appropriation and an article will be submitted by the Retirement Board, which will afford the Town Meeting, for the first time, an opportunity to act on cost of living adjustments for retirees, without their being mandated by the State.

The pension fund appropriation for the next fiscal period has been certified at \$2,529,388. for retirees of the Contributory System, an increase of

\$405,313. and the Retirement Board has calculated the non-contributory pension requirements at \$932,249, a further increase of \$33,931.00. As explained above, these increases do not provide for any cost of living adjustments — a separate matter to come before the Town Meeting.

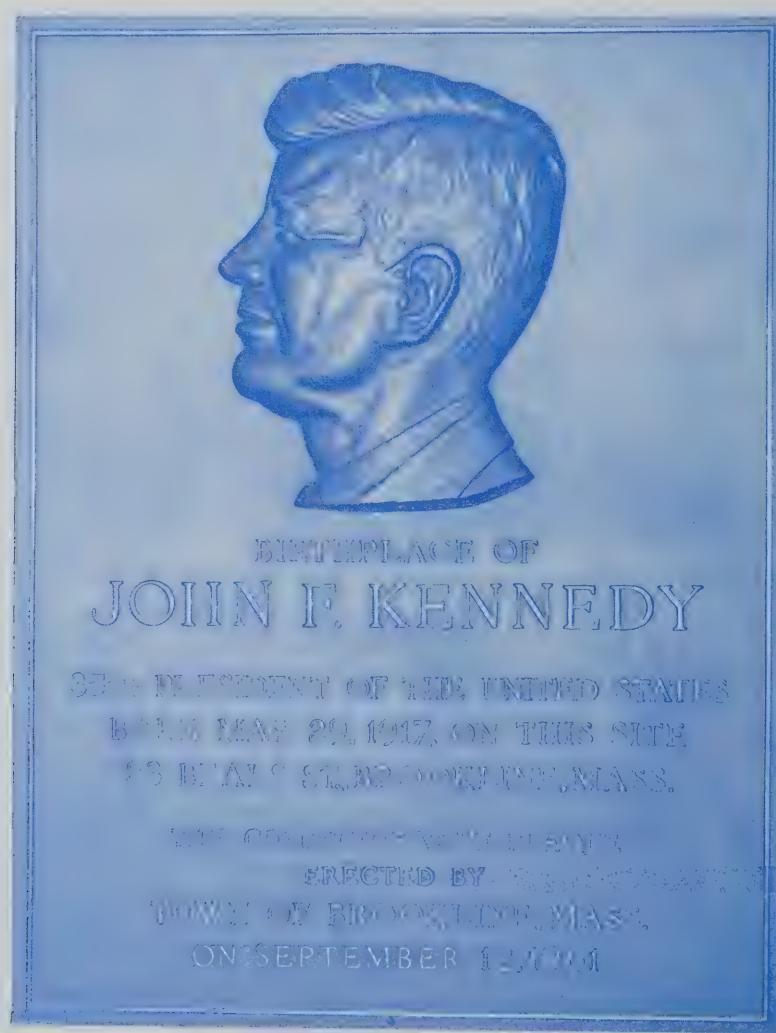
#### Full and Adequate Disclosure For Municipal Security Market

It is evident that all levels of government must review current procedures for meeting the increased requirements for investor information and the real concern of issuers as to achieving compliance with the anti-fraud provisions of the federal securities laws.

The decline in confidence in municipal offerings is of major concern to all levels of government. The

requirements for full disclosure — providing adequate information to investors and dealers in municipal securities and the rating agencies — takes on new meaning and importance. The Supreme Court has stated that material information includes all information which a reasonable investor might consider important in the making of a decision. Therefore, our task is the development of guidelines for disclosure of information that is most likely to be material to investors.

The Treasurer and Comptroller have agreed to serve on a committee sponsored by a major Boston bank to examine the implication of "full disclosure" for Massachusetts cities and towns and to suggest meaningful and realistic methods of compliance.



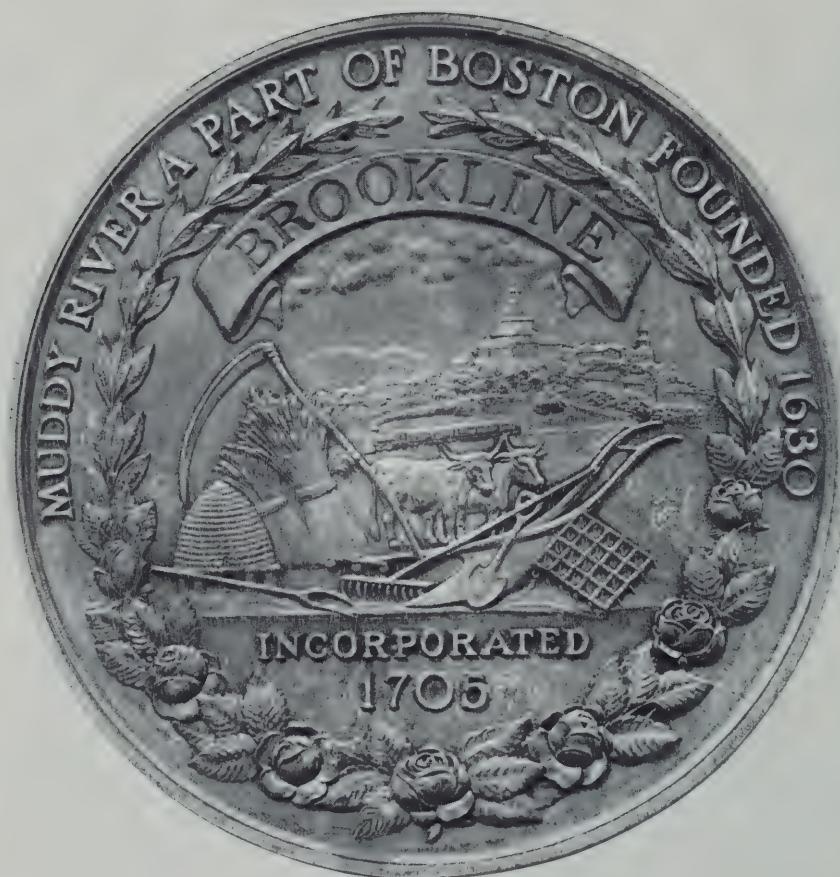
Commemorative Plaque at the Kennedy Birthplace

Citizens will be interested in the report by Town Clerk Artemas Newell to the 1848 Annual Town Meeting in relation to the Town Seal which appears on the back cover of this report:

Agreeably to the provisions of the By-laws of the Town, the Town Clerk, under the direction of the Selectmen, has caused to be prepared a Common Seal for the use of the Town. It is engraved upon steel, and represents a group of agricultural and farming implements, a view of the City of Boston in the distance, with a train of cars running between the two places; and bearing this inscription: "Muddy River, a part of Boston. Founded 1630. Brookline incorporated 1705."

The design is intended to be emblematical of the character of the Town from its early settlement, when designated and known as Boston Cornfield & Boston Plantation, to the present time, — the inscription to perpetuate, in a degree, its early historical associations. It was executed by Mr. Francis N. Mitchell, of Boston, and cost, including one hundred embossed impressions, a press which may be used for copying, with Book, & c., Fifty-Six dollars.

The report was accepted and the Seal adopted as the Seal of the Town April 3, 1848.



# **TOWN OF BROOKLINE**

## **ANNUAL REPORT**

### **PART II**



**OFFICIAL TOWN RECORDS**  
**TOWN CLERK'S REPORT**

**1975**

**COMPTROLLER'S REPORT**

**July 1, 1975 - June 30, 1976**



Town of Brookline  
1975 Annual Town Report  
Part II  
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Section 2 - Comptroller's Report for July 1, 1975 - June 30, 1976

Comptroller's Report, with separate Table of Contents, follows  
page 133.



1

# **WARRANT**

## **1975 ANNUAL TOWN ELECTION**

### **The Commonwealth of Massachusetts**

**Norfolk, ss.**

**To any Constable of the Town of Brookline,  
Greetings:**

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote in elections to meet at the polling places designated for the several precincts in said Town on

**TUESDAY, the Fourth day of  
March, 1975**

at seven o'clock in the forenoon for the following purpose to wit:

To choose by ballot the following Town Officers:

Two Selectmen	For three years
One Treasurer	For three years
Four Trustees of the Public Library	For three years
Three Members of the School Committee	For three years
Two Trustees of the Walnut Hills Cemetery	For three years
One Trustee of the Walnut Hills Cemetery (To fill a vacancy)	For one year
One Member of the Brookline Housing Authority	For five years
One Member of the Brookline Redevelopment Authority	For five years
One Constable (To fill a vacancy)	For two years also
Five Town Meeting Members	For three years In Precincts 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15 and 16
One Town Meeting Member	For two years In Precinct 13
One Town Meeting Member	For one year In Precincts 2,7,8 and 10

Also for the purpose of giving in their votes "Yes" or "No" on the following question:

#### **QUESTION**

"Shall licenses be granted in this Town for the operation, holding or conducting a game commonly called beano?"

YES   
NO

For these purposes the polls will be open at seven o'clock in the forenoon and shall be closed at eight o'clock in the evening.

Hereof fail not, and make due return of this Warrant, with your doings thereon, to the Selectmen seven days at least before the day of said election.

Given under our hands at Brookline aforesaid, this 3rd day of February in the year of Our Lord one thousand nine hundred and seventy-five.

Robert C. Cochrane, Jr.

Sumner Z. Kaplan

Eleanor Myerson

Edward Novakoff

Board of Selectmen.

## TOWN OF BROOKLINE

Massachusetts

February 10, 1975

To Town Meeting Members:

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have set the following dates for the Annual Town Election and Town Meeting:

Annual Town Election, Tuesday, March 4, 1975

Annual Town Meeting, Tuesday, April 29, 1975

The Annual Town Meeting will be held in Brookline High School Auditorium at 7:30 P.M.

In the event the meeting is not completed on that evening the following dates have been reserved:

Thursday, May 1, 1975

Tuesday, May 6, 1975

Thursday, May 8, 1975

Very truly yours,

Thomas F. Larkin  
Town Clerk

## WARRANT

### The Commonwealth of Massachusetts

Norfolk, ss.

To any Constable of the Town of Brookline.

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on

**TUESDAY the Twenty-ninth**

**Day of April, 1975**

at seven-thirty o'clock in the evening for the following purposes, to wit:

**FIRST ARTICLE.** To see if the Town will vote that the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen, or take any other action with respect thereto.

**SECOND ARTICLE.** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 1975, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or take any other action with respect thereto.

**THIRD ARTICLE.** To see if the Town will amend Article 1-B of the Bylaws of the Town by adding, deleting or substituting positions or classes in the Classification Plan, or will otherwise amend said Article 1-B, and will amend the Pay Plan by establishing, deleting or substituting minimum, maximum or flat rate salaries for any position or class which may have been added to, deleted from or substituted in the Classification Plan under this Article, or by changing any of the existing salaries, or by amending the general provisions with respect to sick leave, vacation leave and the like; or otherwise amend said Pay Plan, or take any other action with respect thereto.

**FOURTH ARTICLE.** To see if the Town, pursuant to the provisions of Section 90A of Chapter 32 of the General Laws, will increase the retirement allowance of any former employee of the Town who was retired on account of injury sustained in the performance of his duty, or take any other action with respect thereto.

**FIFTH ARTICLE.** To act upon the appropriations asked for or proposed by the Selectmen or by any other officer, board or committee and to fix the salary or other compensation of all elected officers of the Town as provided in Section 108 of Chapter 41 of the General Laws, or take any other action with respect thereto.

**SIXTH ARTICLE.** To see if the Town, in accordance with Section 64 of Chapter 44 of the General Laws, will authorize payment of the following unpaid bills of previous years, in the amounts indicated below, and which may be legally unenforceable due to the insufficiency of the appropriation therefor:

<b>SCHOOL COMMITTEE</b>		
Mainco School Supply Company		\$ 2,071.83
Smith, Sellew, Doherty &		
Ashley, Myer, Smith,		
Architects in		
Joint Venture	<u>3,882.80</u>	\$ 5,954.63
<b>DEPARTMENT OF TRANSPORTATION</b>		
B.L. Makepeace, Inc.	155.85	155.85
<b>DEPARTMENT OF VETERANS' SERVICES</b>		
Thomas J. Ford, D.M.D.	21.00	
Mass. Rehabilitation Hosp.	1,727.50	
Peter Bent Brigham Hosp.	176.10	
St. Elizabeth's Hosp.	8.50	
Beth Israel Hosp.	<u>12,969.32</u>	14,902.42
<b>GROUP INSURANCE</b>		
Mass. Hosp. Services, Inc.	14,786.32	<u>14,786.32</u>
		\$35,799.22

and will raise and appropriate or appropriate from available funds the sum of thirty-five thousand seven hundred ninety-nine dollars and twenty-two cents (\$35,799.22) to pay for the same, or take any other action with respect thereto.

**SEVENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, sums of money for the construction, original equipping and furnishing of the new Lincoln School on the so-called Park School site; determine how such funds should be expended, and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the Town therefor, or take any other action with respect thereto.

**EIGHTH ARTICLE.** To see if the Town will supplement the appropriation heretofore made for final plans and specifications for a new Lincoln School so that such plans and specifications will include a design of a school to accommodate no more than 490 students; and to raise and appropriate, or appropriate from available funds, a sum of money to be expended by the Building Commission with the approval of the Board of Selectmen to accomplish the foregoing, or to take any other action with respect thereto.

**NINTH ARTICLE.** To see if the Town will accept and allow the laying out, relocating and widening of Hedge Road to form a cul-de-sac approximately four hundred thirty-five (435) feet easterly from the intersection of Hedge Road with the southerly sideline of Boylston Street as laid out, relocated and widened by the Selectmen, and as shown in a plan of land entitled "Plan and Profile of the Relocation of a Portion of Hedge Road, by Leo D. Picardi, P.E., Commissioner of Public Works, dated December 23, 1974," both of which are filed in the Town Clerk's office, and to transfer from the School Committee to the Board of Selectmen the care, custody and control of the portion of Lots 1-4 in Block 322 to be used as a public way; such acceptance, allowance, and transfer to become effective only upon approval by the Massachusetts Board of Education of State Aid for the Lincoln School project following appropriation of funds for construction at a 1975 Annual or Special Town Meeting, or take any other action with respect thereto.

**TENTH ARTICLE.** To see if the Town will vote to discontinue Hedge Road as passed under Article 8 of the Special Town Meeting held on Tuesday, November 19, 1974 and adjourned to November 21, 1974 by adding to the vote printed on Page 27 of the pamphlet entitled "Reports of Selectmen and Advisory Committee on the Articles in the Warrant for the Special Town Meeting Tuesday, November 19, 1974" the following:

Said discontinuance shall be subject to easements for the purpose of construction, reconstruction, maintenance and control of an access to the New Lincoln School for the passage of pedestrians and vehicles, and for the purpose of providing access to parking areas incidental to said school and for the purpose of parking, and for the purposes of construction, reconstruction and from time to time repair of such utilities as, but not limited to, sewers, drains, water mains, gas mains, telephone and electric ducts and lines together with their appurtenances as may be deemed necessary for the proper operation of the said School which easements the Town hereby reserves.

These easements, shown on a plan entitled "Plan of Easement off Kennard Road" by Leo D. Picardi, P.E., Commissioner of Public Works, dated February 4, 1975, on file in the Town Clerk's office, are described as follows:

Beginning at a point on the west sideline of Kennard Road as accepted by the Town October 24, 1895, said point being further described as being 185.56' southerly from Boylston Street;

Thence running southerly by the westerly sideline of Kennard Road for a distance of fifty-seven and eighty-two hundredths (57.82) feet (17.623 meters) to a point that is the intersection of the center line at Hedge Road and the sideline of Kennard Road;

Thence turning and running westerly along the center line of Hedge Road by a curve to the left having a radius of four hundred twenty-seven and four hundredths (427.04) feet (130.162 meters) for a distance of one hundred thirteen and sixty hundredths (113.60) feet (34.625 meters);

Thence turning and running northwesterly for a distance of twenty and no hundredths (20.00) feet (6.096 meters);

Thence turning and running easterly along the sideline of Hedge Road by a curve to the right having a radius of four hundred forty-seven and four hundredths (447.04) feet (136.258 meters) for a distance of eighty-three and forty-nine hundredths (83.49) feet (25.448 meters);

Thence turning and running easterly in a straight line for a distance of nineteen and ninety-one hundredths (19.91) feet (6.069 meters);

Thence turning and running easterly, northeasterly and northerly by a curve to the left having a radius of twenty and no hundredths (20.00) feet (6.096 meters) for a distance of twenty-seven and sixty-six hundredths (27.66) feet (8.431 meters);

Thence turning and running northeasterly for a distance of twenty and six hundredths (20.06) feet (6.114 meters) to the point of beginning.

**ELEVENTH ARTICLE.** To see if the Town will authorize the Selectmen to acquire by purchase, gift, or otherwise, the land hereinafter described, designated as Parcel 11 on a plan of land entitled: "The Commonwealth of Massachusetts Plan of Road in the Town of Brookline, Norfolk County Altered and laid out as a State Highway by the Department of Public Works September 7, 1954. Scale: 40 feet to the inch" by H. G. Gray, Chief Engineer, Layout No. 4189, and recorded in Norfolk County Registry of Deeds on September 17, 1954 in Book 3301, Page 1, Plan Book 190, as Plan Nos. 1233-1238-1954, or an easement or leasehold interest therein, on such terms as the Board of Selectmen may determine, and to raise and appropriate, or appropriate from available funds, a sum of money for the cost of such acquisition. Such land is bounded and described as follows:

NORTHERLY by Boylston Street (Route Nine);

EASTERLY by Hedge Road;

SOUTHERLY by land now or formerly of Henry P. Crowley;

WESTERLY by Warren Street.

Containing about thirty-nine thousand nine hundred and twenty square feet of land,

or take any other action with respect thereto.

**TWELFTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money for a planning feasibility study to explore the construction, reconstruction and/or additions to the Driscoll School, in accordance with Article XV-A, Section 2-B of the Town Bylaws, or take any other action with respect thereto.

**THIRTEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of twenty-five thousand dollars (\$25,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for the reconstruction of the tennis courts at Longwood Playground, and will authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Land and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town surplus, or take any other action with respect thereto.

**FOURTEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of Twenty-Five Thousand Dollars (\$25,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for modifications in design and construction of the Clark Playground, and will authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Land and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town's surplus, or take any other action with respect thereto.

**FIFTEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of Fifteen Thousand Dollars (\$15,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for the Reconstruction of the Multiple Play Area and the Screen Planting of Evergreens at the Baldwin Playground, and will authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Lands and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town's surplus, or take any other action with respect thereto.

**SIXTEENTH ARTICLE.** To see if the Town will raise and appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen for laying and relaying water mains of not less than six (6) inches or more than sixteen (16) inches in diameter and for lining such mains with linings of not less than one-sixteenth (1/16) of an inch and determine how any such appropriation will be raised whether by taxation, transfer of available funds, by borrowing or otherwise, and if by borrowing to authorize the issuance of bonds or notes of the Town therefor, or take any other action with respect thereto.

**SEVENTEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of Two Hundred Thousand Dollars (\$200,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen for the reconstruction, maintenance and repairs of various streets, sidewalks, bridges and paths within the Town, or take any other action with respect thereto.

**EIGHTEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of One Hundred Two Thousand Two Hundred Thirty-nine Dollars (\$102,239) for the repair, reconstruction, and resurfacing of the following public ways under Chapter 765, Section 4, Acts of 1972 and to be reimbursed from the Commonwealth and/or the County: St. Paul Street (from Aspinwall Avenue to the Boston Line); South Street (from Newton Street to Grove Street); and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the Town therefor, or take any other action with respect thereto.

**NINETEENTH ARTICLE.** To see if the Town will raise and appropriate or appropriate from available funds the sum of Fifty-two Thousand Two Hundred Dollars (\$52,200) to be expended by the Fire Chief with the approval of the Board of Selectmen for the development of an emergency medical services system (EMSS) within the Fire Department, or take any other action with respect thereto.

**TWENTIETH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to be expended by the Board of Selectmen for the purpose of employing an independent accounting firm to conduct an audit of the financial records of the Town, or take any other action with respect thereto.

**TWENTY-FIRST ARTICLE.** To see if the Town will vote to ratify and confirm the action of the Board of Selectmen in filing Applications and Pre-Applications under the Housing and Community Development Act of 1974, P.L. 93-383, including an Application for Community Development Block Grant, as the same may be amended, copies of which are on file in the office of the Board of Selectmen; and authorize the Board of Selectmen to take such other actions and file such other Applications and Pre-Applications as may be appropriate and necessary to obtain funds under said Act; and appropriate, and authorize the Board of Selectmen to expend, funds received or to be received by the Town from the Department of Housing and Urban Development as a result of said Applications, or take any other action with respect thereto.

**TWENTY-SECOND ARTICLE.** To see if the Town will vote to raise and appropriate or appropriate from available funds a sum of money to aid the Brookline Redevelopment Authority for defraying such part of the development, acquisition and operating costs of the so-called Marsh Project as will not be met by loans, contributions or grants (other than annual or other contributions and grants in the nature of reimbursement) from the federal government or any other source; to determine whether such appropriation shall be raised by borrowing or otherwise; and to provide that no part of said sum shall be borrowed unless the Selectmen shall first determine that grants or contributions from the federal government will not be received for said purposes prior to the date on which said sums are required by the Brookline Redevelopment Authority; or take any other action relative to the foregoing matters.

**TWENTY-THIRD ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form, or take any other action with respect thereto:

**AN ACT PERMITTING THE BROOKLINE REDEVELOPMENT AUTHORITY TO FINANCE A PORTION OF THE MARSH URBAN RENEWAL PROJECT ON THE BASIS OF THE TAX INCREMENT GENERATED THEREBY.**

**SECTION 1.** In addition to the provisions of any general law or special law authorizing the financing of urban renewal projects, the Brookline Redevelopment Authority or other department or agency of the Town authorized to undertake urban renewal projects pursuant to Chapter 121B of the General Laws is hereby authorized to borrow money for the temporary and permanent financing of the cost of all or any part of the Marsh Urban Renewal Project upon the security of its bonds, notes or other evidences of indebtedness, and renewals thereof and to secure the same by mortgages upon property held or to be held by it, by pledge of its revenue, including without limitation grants or contributions by the federal government, by pledge of tax receipts paid to it by the Town of Brookline pursuant to an agreement made pursuant to Section 2 of this Act, and in connection with the incurrence of any indebtedness to covenant that it shall not, so long as the same shall remain unpaid, further pledge the whole or any specified part of its revenues, or pledge the whole or any specified part of tax receipts paid to it as aforesaid.

**SECTION 2.** (a) The Town of Brookline, by vote at an annual or special town meeting, may authorize financing as provided in subsections (b) and (c) hereof for all or any part of the Marsh Urban Renewal Project, provided that the Chairman of the Agency pursuant to a vote of the Agency has filed with the Town Clerk, no more than 45 nor less than 30 days prior to the first session of said town meeting, a statement as to the availability or non-availability of federal, state, or other funds to do that work; and a schedule of all other tax increment financings for which the Agency is then obligated and the respective amounts and maturity dates thereof. Said authorization shall specify the part or parts of the Marsh Urban Renewal Project to which such financing shall be applicable and shall describe the type or types of development which are to be permitted therein. Thereupon the provisions of subsections (b) and (c) of this section shall apply thereto.

**SECTION 2.** (b) When authorized to do so as provided in subsection (a) of this section, the Board of Selectmen of the Town of Brookline may enter into an agreement with the Agency. Such agreement shall specify the amount, terms and maturities of any bonds, notes or other evidences of indebtedness. Such agreement shall provide that the taxes raised by assessment on the taxable property included in the part or parts of the Marsh Urban Renewal Project authorized for financing as provided herein shall be divided as follows:

(1) That portion of the taxes which would be raised by the rate at which the tax is assessed each year by and for the Town of Brookline upon the total sum of the initial valuation of said taxable property shall be allocated to the Town as taxes by and for said Town; and

(2) Of the taxes raised each year by the rate at which the tax is assessed upon the current valuation of said taxable property as shown upon the assessors' valuation books for each such year, that portion which is in excess of the amount described in clause (1) hereof shall be allocated to and when collected shall be paid into a special fund of the Agency for payment of the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the part or parts of the Marsh Urban Renewal Project so authorized for financing. Unless and until the total valuation of said taxable property for such year exceeds the initial valuation of said property, all of the taxes raised from said property shall be allocated to the Town of Brookline as taxes by and for said municipality. When such loans, advances, and indebtedness, if any, and interest thereon, have been paid in full or provision made for such full payments, all monies thereafter received from taxes upon said taxable property shall be allocated to the Town of Brookline as taxes by and for said municipality and the agreement shall in all respects terminate.

**SECTION 2.** (c) Property which is the subject of an agreement as provided in subsection (b) shall at all times be valued for assessment purposes at its full and fair market value.

**SECTION 3.** For the purposes of this Act, the terms:

(1) "taxes by and for said municipality" shall include all taxes, assessments or other charges raised by the municipality through taxes on property in said municipality for benefit of itself or of other governmental jurisdictions or both;

(2) "initial valuation" shall mean that sum established by town meeting on the advice of the assessor, which shall include the total valuation of the taxable property authorized to be subject to an agreement pursuant to Section 2(b) hereof as shown upon the last assessors' valuation books used in connection with the taxation of such property by the Town prior to the approval of financing under this Act or the acquisition of such property, whichever comes first, plus an amount determined by town meeting to be adequate to produce sufficient tax income to cover the cost of town services on account of such property during the life of the bonds. Such services may include those provided by the fire, police, health, traffic, school, park and recreation, and public works departments, and any others deemed appropriate;

(3) "Marsh Urban Renewal Project" shall mean the Marsh Urban Renewal Project as constituted on January 1, 1975; and

(4) "Agency" shall mean the Brookline Redevelopment Authority or such other department or agency of the Town authorized to undertake urban renewal projects pursuant to Chapter 121B.

**TWENTY-FOURTH ARTICLE.** To see if the Town will appropriate a sum of money from funds allocated to Brookline under the Federal Community Development Act (Public Law 93-383, 1974) for fiscal 1975 to pay costs in connection with completion of the so-called "B-2 parcel of the Marsh Urban Renewal Project (Mass. R-37)," or will take any other action with respect thereto.

**TWENTY-FIFTH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court for special legislation to direct the Treasurer of the Commonwealth of Massachusetts to pay to the Town of Brookline all reimbursements in arrears for the Farm (U.R. Mass. 15-1) and Marsh (Mass. R-37) urban renewal projects through fiscal 1974 in accordance with the "twenty equal annual installments" provision of Chapter 121B, Section 55 (c) of the General Laws of the Commonwealth of Massachusetts, notwithstanding Section 55 (d) of the same law, or will take any other action with respect thereto.

**TWENTY-SIXTH ARTICLE.** To see if the Town will adopt the following five resolutions or will otherwise amend and adopt said resolutions, or will take any other action with respect thereto:

(1) RESOLVED, that a need for continuation of a redevelopment authority as presently structured in Brookline no longer exists.

(2) RESOLVED, that the Marsh project housing area is not suitable for family housing of the present design and density.

(3) RESOLVED, that the interests of Brookline would best be served by completing the undeveloped portions of the Marsh project with office and commercial uses at moderate density and with public open space.

(4) RESOLVED, that completion of the Marsh project, performance of housing and commercial rehabilitation projects, and planning for any future community development should be carried out by a limited, strictly accountable community development agency, coordinated as a department of the Town.

(5) RESOLVED, that Town Meeting will welcome submission at the 1976 Annual Town Meeting of proposed legislation to redefine the Marsh project, to terminate the existing Brookline Redevelopment Authority, to create a community development agency coordinated as a town department, to establish housing rehabilitation projects, and to provide for planning of commercial redevelopment or rehabilitation projects.

**TWENTY-SEVENTH ARTICLE.** To see if the Town will amend the Building Code, as adopted by the Town April 13, 1972 and made effective January 1, 1973, by amending Section 118.3, SCHEDULE OF FEES, so that said Section shall read as follows, or take any other action with respect thereto:

<b>SCHEDULE OF FEES</b>		<b>FEES</b>
<b>1. Building and Structures</b> (including Alterations, Repairs and Demolition thereof based on building construction cost)		
for the first one million dollars		\$5.00/\$1,000.
for the next four million dollars		4.00/\$1,000.
above five million dollars		1.00/\$1,000.
<b>2. Electrical</b> (based on cost of electrical work)		
for the first \$2,500.		5.00/\$500.
for the next \$7,500.		3.00/\$500.
for the next \$10,000.		2.00/\$500.
above \$20,000.		1.00/\$500.
<b>3. Gasfitting</b>		
New buildings		5.00/gas outlet
Alterations or Replacement		2.00/gas outlet
<b>4. Plumbing-New Buildings</b> (per dwelling unit)		
for the first fifteen dwelling units		15.00/dwelling unit
for the next thirty-five dwelling units		7.50/dwelling unit
above fifty dwelling units		4.00/dwelling unit
-Alterations and Repairs (per fixture)		5.00/first fixture 1.00/ea. add. fixt.
<b>5. Elevators, hoists, escalators</b>		
Elevators, escalators, hoists per installation		\$25.00/elevator
Dumbwaiters, per installation		15.00/dumbwaiter
Certificates of Inspection for elevators		25.00/elevator
Where more than one elevator may be inspected at the same location under the same ownership at the same time the fee for the first elevator inspection will be \$25.00 and \$15.00 for each of the succeeding elevators		

**TWENTY-EIGHTH ARTICLE.** To see if the Town will amend Article XV-A of the Town Bylaws as follows:

1. Title: By adding the words "and structures."

2. Section 2: By deleting the first paragraph and substituting therefor: "Except as otherwise provided by statute, whenever a Town building or structure ("the facility") is to be constructed, reconstructed, altered or remodelled, the following steps shall be taken in the following sequence unless waived by the Selectmen as hereinafter provided."

3. By adding: "Section 5. The terms "building" and "structure" as used herein are to be given the same definitions as set forth in the Commonwealth of Massachusetts State Building Code filed on July 1, 1974 and effective on January 1, 1975."

**TWENTY-NINTH ARTICLE.** To see if the Town will amend the Bylaws of the Town of Brookline by deleting Article I-A, or will take any other action with respect thereto.

**THIRTIETH ARTICLE.** To see if the Town will adopt the following amendment to Article I-A of the Bylaws of the Town or otherwise amend and adopt said proposed amendments, or will take any other action with respect thereto:

1. To amend Article I-A by deleting the words "the chairman of the following boards: (6) of the assessors, (7) of the school committee, (8) of the trustees of the public library, (9) of the trustees of the Walnut Hills Cemetery, (10) of the planning board, (11) of the committee for planting trees, (12) of the registrars of voters, (13) of the personnel board, (14) of the park and recreation commission, (15) of the Advisory Committee." so that Article I-A of the Bylaws shall now read:

#### ARTICLE I-A TOWN MEETING MEMBERS AT LARGE

Pursuant to authority contained in Section 5 of Chapter 43A of the General Laws (Ter Ed) the following officers are designed as town-meeting members at large, namely: (1) the members from Brookline in the General Court of the Commonwealth of Massachusetts, (2) the Moderator, (3) the town clerk, (4) the town treasurer, (5) the Selectmen.

**THIRTY-FIRST ARTICLE.** To see if the Town will amend the Town Bylaws by adding thereto Article XXXV as follows, or take any other action with respect thereto:

#### ARTICLE XXXV FOOD VENDOR'S LICENSE

**SECTION 1.** No person shall offer food for sale to the public in a food service establishment, as hereinafter defined, unless licensed as a common victualler or an innholder under the provisions of c.140 of the General Laws, without first obtaining a Food Vendor's License under the provisions of this bylaw. Any person who violates this section shall be liable to a fine of \$50 per violation. Each day of operation without a Food Vendor's License shall constitute a separate violation.

**SECTION 2.** Food service establishment shall include any fixed or mobile place, structure or vehicle whether permanent, transient, or temporary, private, public or non-profit, routinely serving the public; or any other eating and drinking establishment or place in which food or drink is prepared for sale or for service to the public on the premises or elsewhere.

**SECTION 3.** Each applicant for such license shall submit, on forms to be provided by the Board of Selectmen, the following information: name and address of applicant, name and address of place of business, evidence, in form satisfactory to the Board of Selectmen, that the applicant has upon the premises the necessary implements and facilities for cooking, preparing and furnishing food to the public and such other information as the Board of Selectmen shall require. The Selectmen may require applicants to submit a plan showing, if any, the location of fixtures and other facilities, and the general arrangement of the premises including, in the case of applications for premises not yet completed, estimates of the cost of the proposed arrangement and of the facilities indicated on the plan.

**SECTION 4.** Such license shall not be issued or be valid until it has been signed by a majority of the Board of Selectmen. The Selectmen may refuse to grant such a license if, in their opinion, the public good does not require it.

**SECTION 5.** Food Vendor's Licenses shall be valid for a term of one year from the first day of January until the 31st day of December. A non-refundable fee of \$25 shall be submitted with the application for such license. The Selectmen may in their discretion suspend the requirement of the fee for hospitals.

**SECTION 6.** If, in the opinion of the Board of Selectmen, a licensee ceases to be engaged in the activity licensed hereunder, or fails to maintain upon the premises on which such activity is licensed the implements and facilities required by this bylaw, the Selectmen shall immediately revoke his license. If the licensee at any time conducts his licensed business in an improper manner, the Board of Selectmen, after notice to the licensee and public hearing, may, upon satisfactory proof thereof, suspend or revoke his license.

**THIRTY-SECOND ARTICLE.** To see if the Town will amend the Town Bylaws by adding thereto Article XXXVI as follows, or take any other action with respect thereto:

**ARTICLE XXXVI RETAIL FOOD STORES —  
HOURS OF OPERATION**

**SECTION 1.** No person shall sell any food at retail between the hours of 2:00 A.M. and 6:00 A.M.

**SECTION 2.** No store or place of business engaged in the retail sale of food shall be open for transaction of retail business between the hours of 2:00 A.M. and 6:00 A.M.

**SECTION 3.** The term food used in this Bylaw shall include any article or commodity, however stored or packaged, intended for human consumption, and shall include alcoholic beverages to be consumed off the premises at which they are sold, unless any other law or permit or license granted to the seller of such beverages shall otherwise provide.

**SECTION 4.** This Article shall not apply to the sale of food or alcoholic beverages when such sale is by a common victualler or innholder licensed under c.140 of the General Laws, primarily engaged in the sale of food to be consumed on the premises where sold.

**SECTION 5.** Violators of this Article shall be subject to a fine of \$50 for each violation. For purposes of this Article, every calendar day on which a store shall remain open shall be deemed a separate offense, and each separate sale of food shall be deemed a separate offense. In the event of sale of several items at one time to one customer, only one sale shall be deemed to have taken place.

**SECTION 6.** In cases where, in their opinion, the public good requires it, the Board of Selectmen may issue a special permit allowing a store or place of business engaged in the retail sale of food to remain open for the transaction of such business to an hour, specified in the permit, later than 2:00 A.M., or to remain open 24 hours a day. Such special permits shall remain in effect for a period of one year. Application for such special permit shall be made on forms supplied by the Board of Selectmen, and shall be accompanied by non-refundable fee of \$25.

**THIRTY-THIRD ARTICLE.** To see if the Town will amend its By-laws by adding thereto the following:

**ARTICLE  
HOURS OF BUSINESS OPERATION**

**SECTION 1.** Limitation of business hours

Without a permit issued by the Board of Selectmen, no person shall in the Town of Brookline between the hours of 12:00 midnight and 6:00 in the morning conduct, transact, operate, or solicit business for or make accessible to the public the premises of a retail store, restaurant, or other occupation or establishment producing or selling goods, entertainment, or services other than the following services:

- (a) medical and psychiatric care,
- (b) ambulance and rescue services,
- (c) local transportation,
- (d) building maintenance,
- (e) heating fuel delivery,
- (f) security services,
- (g) snow removal,
- (h) towing of motor vehicles,
- (i) street and sidewalk maintenance,
- (j) maintenance of public works,
- (k) maintenance of regulated utilities,
- (l) communications services,
- (m) news gathering and reporting,
- (n) accounting and bookkeeping services,
- (o) rental of hotel and motel rooms,
- (p) private catering and entertainment,
- (q) care for the aged and infirm,
- (r) counseling and social welfare services,
- (s) disaster relief services, and
- (t) services of a government agency.

**SECTION 2. Permits for extended business hours.**

Upon application and after notice and hearing, as provided in Section 3, the Board of Selectmen may issue a permit for extended business hours, authorizing specified operation by specified persons of a specified business at specified locations during specified hours otherwise prohibited by Section 1, if it finds that such operation:

- (a) is required to meet a public necessity,
- (b) will neither create nor contribute to additional hazard to the well-being, lives, or property of residents of the Town, and
- (c) will neither cause nor contribute to unreasonable noise, lighting, traffic, odors, pollution, or other disturbance to residents of the Town.

A permit for extended business hours may be issued only to a resident of the Town, who must be the individual proprietor of the business for which issued or, if the business does not have an individual proprietor, who must be its manager. The Board of Selectmen may attach to such a permit any limits or conditions it finds advisable to further or protect the interests of the Town. Such a permit must be issued for a specified period of time, not to exceed one year, and it may not be renewed. Continuation of business operation so permitted beyond this specified period of time shall require application for and issuance of an entirely new permit.

**SECTION 3. Applications, notices, and hearings for permits.**

A permit for extended business hours must be applied for by the person requesting it. An application shall include:

- (a) the full legal name of the applicant,
- (b) the residence address and telephone of the applicant,
- (c) the name under which the business applied for is to be operated,
- (d) the extended hours applied for, otherwise prohibited by Section 1,
- (e) the address and telephone of each business location to be used during the extended hours applied for,
- (f) the nature of business operations applied for,
- (g) the maximum number of persons to operate the business at each location during the extended hours applied for, and
- (h) the period of time applied for, not to exceed one year in length.

Accompanying and in support of an application, the applicant shall file a sworn statement concerning each of the following matters:

- (i) whether the applicant is a resident of the Town,
- (j) whether the business applied for has an individual proprietor,
- (k) the full name and street address of each beneficial owner of one percent or more of the business applied for, including corporations and their executive officers, shareholders of corporations, trusts and their trustees, and beneficiaries of trusts,
- (l) whether the applicant is the individual proprietor and whether the applicant is the manager of the business applied for,
- (m) whether the applicant or the business applied for has in the past applied for or been issued a permit for extended business hours and, if so, the dates of application and issuance,
- (n) whether the applicant or the business applied for has in the past been issued a permit for extended business hours that was terminated before the end of the period of time for which issued and, if so, the circumstances of any such termination,
- (o) the grounds on which the business operation during the extended hours applied for meets each of requirements (a), (b), and (c) of Section 2, and
- (p) whether the applicant has been informed of, has read, and is aware of the provisions of this bylaw.

Such a statement shall be made available to the public for inspection by the Board of Selectmen. No application shall be considered complete unless all items of information required by this Section have been supplied in full and until the applicant has paid to the Town of Brookline a nonrefundable application fee according to a schedule that shall be established and may from time to time be adjusted by the Board of Selectmen. Such a fee shall not exceed \$300.00 for each business location applied for and shall include all costs of preparation, publication, and delivery of notices required by this Section. The Board of Selectmen shall cause to be recorded on an application the date of its receipt in complete form.

Within forty-five days of receipt of a complete application for extended business hours, the Board of Selectmen shall hold a public hearing thereon. The day for such a hearing shall be a Monday, Tuesday, Wednesday, or Thursday that is not a public holiday. The time at which such a hearing is scheduled to begin shall be between 7:00 and 9:00 in the evening. The place for such a hearing shall be within a public building of the Town. Notice for such a hearing, naming its day, time, and place, listing the information supplied on the application under requirements (a) through (h) of this Section, and advising that a sworn statement of the applicant in support thereof with additional information may be inspected in the office of the Board of Selectmen shall be published by the Board of Selectmen three times in a newspaper of general circulation in the Town. The date of first publication shall be neither more than

thirty nor less than twenty days before the day of the hearing. The day of last publication shall be neither more than ten nor less than three days before the day of the hearing. Neither more than thirty nor less than twenty days before the day of the hearing, the Board of Selectmen shall also send by first class mail to each resident and owner of and to each business located on property that is within five hundred feet of any property on which the applicant's business is to be conducted and to each Town Meeting Member whose precinct includes any of the aforementioned property notice of said hearing containing the same information as required for publication. In addition, the Board of Selectmen may release, publish, post, or distribute such additional notices or information as they deem necessary and appropriate, provided that no information in such additional materials shall contradict that contained in notices required by this Section.

At or prior to a hearing required by this Section, the Board of Selectmen shall allow any person or representative of any person, business, corporation, organization, or institution claiming an interest in the extended business hours applied for an opportunity to present information and views. Communications prior to the hearing shall be in writing only and shall be made available to the applicant for inspection. The Board of Selectmen may require that lengthy communications be presented or completed in writing. The applicant shall be allowed an opportunity to respond to any views or information presented. Within fifteen days after such a hearing, the Board of Selectmen shall vote whether or not to issue a permit. Failure of a motion to issue a permit shall constitute denial. Any definite action taken shall be conclusive and final and shall not be subject to reconsideration, and the applicant shall be notified thereof by first class mail within five days.

#### SECTION 4. Filing and posting of permits.

Each permit issued under this bylaw shall be signed by the members of the Board of Selectmen voting to issue it and placed on file for public inspection with the Town Clerk. Such a permit shall contain the information pertaining to it of the same form as that required by items (a) through (h) of Section 2 for applications. Any additional limits or conditions pertaining to such a permit shall be noted thereon, and the Town Clerk shall add notations indicating any termination or revocation. The person to whom issued shall be furnished without charge one attested, true copy of such a permit for each business location authorized therein. While in effect, such a copy of a permit shall be prominently posted so as to be clearly readable from outside the principal entrance to each business location authorized therein; and it shall be removed upon expiration, termination, or revocation.

#### SECTION 5. Termination and revocation of permits.

A permit for extended business hours shall terminate if and when the person to whom it was issued ceases to be the individual proprietor or the manager of the business for which it was issued or ceases to be a resident of the Town. Said person and his successor, if any, as individual proprietor or manager of said business shall each notify the Town Clerk of such an occurrence within ten days by first class mail.

Upon finding that any requirement of Section 2 ceases to be met for any permit for extended business hours or that any limit or condition thereof has not been observed, the Board of Selectmen shall revoke said permit. At least five days prior to taking such action, the Board of Selectmen shall send by certified mail, return receipt requested, to the residence of the person to whom such a permit was issued and to each business location authorized therein notice that revocation of the permit will be considered, with an explanation the possible grounds therefor. Prior to voting on such revocation, it shall permit said person to present information and views relevant thereto. Such a permit shall terminate three days following a vote to revoke it. Notice of such a vote shall immediately be posted within the Town Hall, delivered to the Town Clerk, and sent by certified mail, return receipt requested, to the residence of the person to whom the permit in question was issued and to each business location authorized therein.

#### SECTION 6. Enforcement and penalties.

On behalf of the Town, the Board of Selectmen may seek to restrain violations of this bylaw by court order, filing of complaints, or otherwise. Each separate act held to constitute a violation and each day a condition shall exist held to constitute a continuing violation shall constitute a separate violation. Each violation shall be punishable by a fine of up to fifty dollars.

#### SECTION 7. Severability.

The provisions of this bylaw are severable. If any provision shall be held by a court of competent jurisdiction to be invalid, unconstitutional, or inapplicable to any set of circumstances, unless held otherwise the validity or constitutionality of other provisions or the applicability to other circumstances shall not be affected thereby.

**THIRTY-FOURTH ARTICLE.** We the undersigned residents of the Town of Brookline amending of the Dog Control Law (Dog Control Article XXII) and whereas a random stroll through the Town will disclose a multitude of dogs roaming around freely and whereas uncontrolled dogs are a menace to the inhabitants of the Town both through their viciousness and through the animal excrement which is a hygienic problem: We the undersigned inhabitants of the Town request that the Selectmen attach to the upcoming Town warrant to amend Article XXII Section A to include (7) "for having defecated

- (a) on private property (other than owner)
- (b) on public sidewalk
- (c) on tree lawns"

and deleting Article 6 last four words "or defecating on sidewalks" and adding to Section B (2) through (7) deleting (6) and further we request that any hearing or meeting regarding this amendment be held in the evening so that a maximum number may be available to be present at this hearing and meeting and that a public notice be given of this meeting.

**THIRTY-FIFTH ARTICLE.** To see if the Town will amend the Zoning By-Law by adopting the following amendment thereto or will otherwise amend and adopt said proposed amendment, or will take any other action with respect thereto:

To amend Section 6.11, Off-street Parking Space Regulations, by inserting after subparagraph (3) of paragraph (d) the following new subparagraph:

- (4) Public schools of the Town need not provide the requirements specified in this Section.

**THIRTY-SIXTH ARTICLE.** We the undersigned request that the Town of Brookline, Massachusetts amend its Zoning By-law in the following manner:

Delete Section 6.11(b) (4) which reads, at present

- (4) The number of spaces required for housing (other than as specified in subsection (3) above) having age of occupant or maximum rents controlled in order to comply with the conditions of Federal or State legislation or regulations thereunder may be reduced by the Board of Appeals by special permit where it can be demonstrated that the parking needed for occupants and visitors will be below that otherwise required by this Section and that the number of spaces otherwise required by this Section could eventually be accommodated on the site should the building ever be changed to other kinds of occupancy requiring additional parking spaces. Special permits granted under this section shall apply only to the original applicant for the type of rents and occupancy specified at the time of application, shall not be transferable, and shall not reduce the parking requirement below one-fifth of the number of spaces which would otherwise be required by this Section.

**THIRTY-SEVENTH ARTICLE.** To see if the Town will amend the Zoning By-Law by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or take any other action with respect thereto:

1. Amend section 9.3 by deleting the words "9.4 and 9.5" and substituting "9.4, 9.5 and 9.8".

2. Add section 9.8 after 9.7 as follows:

**"SECTION 9.8 NOTICE TO TOWN MEETING MEMBERS**

At least seven days before any public hearing on an application for a variance, a special permit, or an extension of time pursuant to section 9.7, the Board of Appeals shall mail or deliver a notice of such hearing, with a description of such application or a copy thereof, to each elected Town Meeting Member for the precinct in which is located the property as to which such application has been made."

**THIRTY-EIGHTH ARTICLE.** To see if the Town will amend the Zoning Map by changing to M-1.5 an area in the vicinity of Egmont, Pleasant, Thatcher, and St. Paul Streets, consisting of those parts now zoned M-2.0 of land designated in the 1974 Atlas of the Town of Brookline on Plate 5 and described as follows:

Block 23: all lots; and abutting streets to the centerline thereof.

To see if the Town will amend the Zoning Map by changing to M-1.5 an area in the vicinity of Babcock, Dwight, Pleasant, and John Streets, consisting of those parts now zoned M-2.0 of land designated in the 1974 Atlas of the Town of Brookline on Plates 7 and 9 described as follows:

Block 35: Lots 44, 45, and 46;

Block 46: Lots 1, 2-4, 5, 6, 7, 8, 9, 10, 11, and 20.

Block 47: Lots 1, 2-3, 6A, 11, 11A, 12, 13, 14, 15, 16, and 17; and abutting streets to the centerline thereof.

**THIRTY-NINTH ARTICLE.** To see if the Town will amend its Zoning By-Law by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or will take any other action with respect thereto:

(1) To delete the text of Section 5.00, now reading:

Where two or more main buildings to be used as family dwellings are proposed to be built upon property in one ownership, or where one or more buildings are proposed upon property where there are one or more existing residential buildings, except as provided in Section 5.04, required front, side, and rear yards shall be provided between each building and assumed lot lines shown upon the building permit application. The Board of Appeals, however, may by special permit, modify the yard dimensions between such buildings designed and intended to remain under the same ownership and management where it is demonstrated that there will result light, air, sunlight, and amenity of a standard no lower than would result from such requirements.

(2) To amend Section 5.03 by deleting the sentence now reading:

The Board of Appeals, however, may by special permit, modify the yard dimensions between such buildings designed and intended to remain under the same ownership and management where it is demonstrated that there will result light, air, sunlight, and amenity of a standard no lower than would result from such requirements.

(3) To amend Section 5.31(b) by deleting the words "the spirit of" and the words beginning with "and will assure the same standard of amenity" and continuing to the end of the sentence, so that said sentence shall read as follows:

In a situation where the interpretation of the requirements of Section 5.30 is not clear as a result of nontypical lot shape, topography, building alignment or configuration, or other characteristic, the Board of Appeals under a special permit after a hearing may establish maximum heights for a building or buildings or for different parts of a building which it deems will fulfill the requirements of Section 5.30.

(4) To delete Section 5.43, now reading:

#### SECTION 5.43 EXCEPTION TO YARD AND SETBACK REGULATION

Under a special permit after a hearing the Board of Appeals may permit, in lieu of the requirements for yards or setbacks specified in this By-Law, the substitution of such other dimensional requirements as shall assure the same standard of amenity to nearby properties as would have been provided by compliance with the regulations of the By-Law.

(5) To amend Section 5.44, Accessory Underground Structures, by deleting paragraph (c) thereof, now reading:

The Board of Appeals may by special permit modify the requirements of subsections (1), (2), and (3) of paragraph (a) above subject to the provisions of Section 9.5 and by relabelling the existing paragraph (d) as paragraph (c).

(6) To amend Section 6.13, Design of Off-street Parking Facilities, by deleting paragraph (1) thereof, now reading:

Under a special permit after a hearing, the Board of Appeals may permit in lieu of the dimensional requirements of this section, where new parking facilities are being installed to serve structures and land uses in existence or for which building permits had been issued at the date of adoption of this By-law, the substitution of other dimensional requirements provided that such substitution is necessary to permit the installation of some or all of the off-street parking spaces that would be required for a similar new building.

and by relabelling the existing paragraph (m) as paragraph (1).

**FORTIETH ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or take any other action with respect thereto:

(1) To see if the Town will vote to amend the Zoning Bylaw by deleting Section 5.42, Yard and Setback from Open Space, Street or Alley, in its entirety, or take any other action with respect thereto.

(2) To amend Section 9.1 Provision for Board of Appeals by deleting the existing paragraph and substituting new paragraphs as follows:

There shall be a Board of Appeals under this Bylaw which shall have all of the powers and duties of Boards of Appeals under the statutes relating to zoning.

The Board of Appeals shall consist of three members to be appointed by the Board of Selectmen. All members of the Board shall be residents of the Town, and one member shall be an attorney-at-law licensed to practice in the Commonwealth of Massachusetts.

The Board of Selectmen shall in like manner appoint three associate members who shall be residents of the Town, one of whom shall be an attorney-at-law licensed to practice in the Commonwealth of Massachusetts. Such associate member(s) may sit on the Board of Appeals to the extent and in the manner provided in the statutes relating to zoning.

The existing members and associate members of the Board of Appeals on December 31, 1974, shall serve until their successors are appointed by the Board of Selectmen.

(3) To amend the Zoning Map by including within a G-2.0 district a portion of Washington Street abutting the property owned by the Combined Insurance Company of America identified in the 1974 Atlas of the Town of Brookline by Block 139, lot 27-43, that portion of the street presently zoned I-1.0 from the lot line to the centerline thereof extended to the present zone line drawn 10' from the westerly side line of Pearl Street.

(4) To amend the Zoning Map by including within an M-1.0 district a lot now zoned M-2.5 identified in the 1974 Atlas of the Town of Brookline by Block 215 lot 26 on Fairbanks Street and including the abutting street to the centerline thereof.

**FORTY-FIRST ARTICLE.** 1. To see if the Town will appropriate the sum of \$5,000 towards the legal expenses incurred by the Dexter Neighborhood Association in the litigation involving the building permit of the Dexter Park apartments.

**FORTY-SECOND ARTICLE.** To see if the Town will authorize a special commission to study the feasibility of a pedestrian based mall at Coolidge Corner. Said commission shall have total of fifteen (15) members. There shall be three members appointed from Precinct 2, three members appointed from Precinct 8, and three members appointed from Precinct 9. Each of the above members shall be appointed by a caucus of the Town meeting members of said precinct. The Board of Selectmen shall appoint six members to said commission; or will take any other action with respect thereto.

**FORTY-THIRD ARTICLE.** To see if the Town will authorize the Selectmen to purchase or take by eminent domain under the General Laws for conservation purposes to provide for much needed urban open space certain parcels of land located adjacent to Harvard St., at Coolidge Corner, being designated in the 1974 Assessor's Atlas of the Town of Brookline as Lots 2-3, 20 and 24, in Block 82, bounded and described as follows: bounded on northerly side by Harvard St.; westerly by lots 1, 25 and Shailer St.; southwesterly by lots 23, 22, 21 and Centre St.; southeasterly by parking lot and driveway under the jurisdiction of the Town, as shown on Page 16 of said Atlas. Square footage: Lots 2 and 3, 36,024; Lot 24, 7128; Lot 20, 6743; and to raise an appropriate sum of money to acquire said parcels and to pay for the same, or to pay for land damages and other costs in connection therewith; or will take any other action with respect thereto.

**FORTY-FOURTH ARTICLE.** We the undersigned residents of the Town of Brookline request Article 98B of The General Laws of The Commonwealth of Massachusetts entitled "Foot Patrol" be placed on the upcoming Town Warrant at the next Town Meeting.

**§98B. Foot patrol**

In every city or town which has a population of forty thousand or more and which accepts the provisions of this section there shall be at all times a minimum of one police officer on foot patrol for every ten thousand inhabitants or major portion thereof.

"On foot patrol", as used in this section, shall mean an assignment to patrol a certain area on foot.

**FORTY-FIFTH ARTICLE.** To see if the Town will approve and file a petition with the General Court, an act providing for the inclusion of May twenty-ninth as a legal holiday in the Commonwealth of Massachusetts in substantially the following form:

**AN ACT ESTABLISHING JOHN FITZGERALD KENNEDY'S BIRTHDAY, MAY TWENTY-NINTH, AS A LEGAL HOLIDAY.**

**SECTION 1.** Clause eighteen of Section 7 of Chapter 4 of the General Laws, as most recently amended by Section 1 of Chapter 493 of the Acts of 1974, is further amended by inserting after the words "January the fifteenth", the words: — "May the twenty-ninth".

**SECTION 13.** Section 13 of Chapter 136 of the General Laws, as most recently amended by Section 13 of Chapter 493 of the Acts of 1974, is further amended by inserting after the words "January the fifteenth", the words: — "May the twenty-ninth."

**FORTY-SIXTH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form, or take any other action with respect thereto:

**AN ACT TO AMEND CHAPTER 67 OF THE ACTS OF 1953, AN ACT ESTABLISHING THE OFFICE OF COMPTROLLER IN THE TOWN OF BROOKLINE.**

**SECTION 1.** Chapter 67 of the Acts of 1953 entitled, An Act Establishing the office of Comptroller in the Town of Brookline, is hereby amended by repealing Section 2 (c) thereof, which reads as follows:

"(c) He shall be responsible for a continuous audit of all accounts and records of the town wherever located."  
and renumbering Sections 2 (d) and 2 (e) as 2 (c) and 2 (d) respectively.

**SECTION 2.** This act shall take effect on its passage.

**FORTY-SEVENTH ARTICLE.** To see if the Town will adopt the following resolutions or will otherwise amend and adopt said resolutions, or will take any other action with respect thereto:

1. Resolved, that the Town of Brookline acting through its Town Meeting finds that President Ford's requested total Military budget for 1975, of \$94,111,000,000 will impede the Town's ability to deal with the problems of continued inflation, increased unemployment, and reductions of incomes. The crises of State and Municipal government in health, education, housing, transportation and social welfare can only be achieved by changing our national priorities, from heavy Military spending, to spending for civilian needs.
2. Resolved, that the Town Meeting appropriate the sum of twenty-five dollars (\$25) and ask that the Board of Selectmen convey the contents of the resolution to the President of the United States, the Vice-President of the United States, Senator Edward M. Kennedy, Senator Edward Brooke, the Speaker of the House of Representatives of the United States and Representative Robert F. Drinan, and take such other action as may be appropriate.

**FORTY-EIGHTH ARTICLE.** To hear and act upon the Reports of Town Officers and Committees.

**FORTY-NINTH ARTICLE.** To see if the Town will authorize taking a sum of money voted for the appropriations heretofore made at this meeting and not voted to be borrowed, from any available funds in the treasury, and will authorize the Assessors to use free cash in the treasury in any available funds to that amount in the determination of the tax rate for the fiscal year July 1, 1975-June 30, 1976.

FIFTIETH ARTICLE. To appropriate and raise by borrowing or to appropriate from other available funds, such sums of money as may be necessary for all or any of the purposes mentioned in the foregoing articles.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this twenty-fourth day of March in the year of our Lord One thousand nine hundred and seventy-five.

ROBERT C. COCHRANE, JR.  
HERBERT ABRAMS  
ELEANOR MYERSON  
EDWARD NOVAKOFF  
JUDAH M. STONE  
Board of Selectmen

**Total Vote.**

TREASURER VOTE FOR ONE		TRUSTEES OF PUBLIC LIBRARY VOTE FOR FOUR				SCHOOL COMMITTEE VOTE FOR THREE				TRUSTEE OF WALNUT HILLS CEM VOTE FOR TWO			
Sidde	Donovan	Drooker	Gardiner	Copeland	Edinburgh	Maslon	Wacnick	Dromsick	O'Reilly	Sturm	McAnn	Elcock	Blank
341	118	261	281	187	172	280	299	312	205	248	261	189	126
373	135	294	276	232	203	226	331	298	274	222	215	189	205
413	116	286	265	236	225	249	334	389	265	242	238	169	184
261	218	242	226	197	145	178	229	248	242	221	207	092	306
485	363	502	503	422	254	308	438	476	448	371	362	230	541
441	193	333	350	273	218	247	350	362	324	280	250	192	368
426	108	317	260	259	232	196	335	328	226	263	242	144	209
401	072	286	228	235	215	181	319	282	253	207	206	122	182
519	097	354	270	294	275	270	348	326	367	390	263	164	247
461	074	328	281	272	244	242	374	366	255	262	254	169	179
471	083	316	227	253	247	203	332	287	206	381	215	127	213
391	127	275	241	202	222	237	342	344	222	236	208	103	266
445	151	349	321	235	309	264	401	368	244	335	280	240	188
392	263	386	442	245	275	225	325	323	297	361	285	342	330
476	234	438	500	262	353	275	391	373	269	451	362	332	265
513	155	426	381	323	337	228	433	389	287	374	323	227	314
1 6,809	2,507	5,393	5,052	4,127	3,926	3,809	5,581	5,471	4,384	4,844	4,171	3,031	4,123

We the undersigned Registrars of Voters hereby certify that we have canvassed the returns as made from each of the Polling Places with the within results and certify them to be correct.

March 4, 1975  
We the undersigned Registrars of Voters hereby certify that we have canvassed the returns as made from each of the Polling Places with the within results and certify them to be correct.

John R. Lake  
Thomas F. Larkin  
William B. Hickey  
Francis Halpern  
Registrars of Voters

**Town of BROOKLINE**

**MARCH 4, 1975**

TR. W. H. CEM. VOTE FOR 1				HOUSING AUTHOR. VOTE FOR 1				REDEVELOPMENT AUTHORITY VOTE FOR 1				CONSTABLE VOTE FOR ONE				QUESTION				STATISTICS				SELECTMEN VOTE FOR TWO			
Brown	Blanks	Brancmer	Duggan	Brown	Blanks	Vatian	Duggan	Brown	Blanks	Langerman	Geary	Aikom	Duggan	Brown	Blanks	Yes	No	Voted	Precinct	Cochrane	Kohn	Stone	Banks				
298	315	256	101	134	87	123	091	110	1	1,598	502							Precinct 1.	281	309	230						
310	325	254	129	132	125	141	138	051	2	1,863	560							" 2.	252	330	284						
302	329	321	113	140	111	161	125	057	3	2,071	575							" 3.	239	372	267						
308	253	298	152	045	232	074	185	030	4	2,035	518							" 4.	297	218	265						
609	536	585	242	107	467	106	309	079	5	2,092	933							" 5.	631	334	439						
435	379	384	179	094	233	167	228	068	6	2,091	706							" 6.	428	331	332						
302	358	292	137	167	111	126	115	053	7	2,223	587							" 7.	240	333	346						
248	321	248	101	135	079	145	131	057	8	2,022	522							" 8.	171	336	312						
305	353	286	145	167	073	229	131	072	9	2,397	731							" 9.	315	361	467						
306	359	274	139	151	068	201	116	073	10	2,150	583							" 10.	218	366	343						
290	343	235	152	167	071	216	158	049	11	2,373	644							" 11.	282	307	398						
261	300	267	124	115	082	203	134	073	12	2,115	534							" 12.	218	322	289						
391	388	296	181	243	080	174	121	074	13	2,105	653							" 13.	347	338	358						
506	430	388	148	127	234	107	184	125	14	1,939	703							" 14.	490	213	419						
526	486	323	214	194	182	147	194	093	15	2,453	772							" 15.	483	262	492						
460	454	377	161	191	167	187	264	064	16	2,477	721							" 16.	394	290	460						
5,857	5,920	5,084	2,418	2,309	2,402	2,507	2,624	1,128		34,004	10,244	30,12%	TOTALS	5,286	5,022	5,701											

PRECINCT 1 (Write titles of offices on this line)		PRECINCT 2		PRECINCT 3		PRECINCT 4	
TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM	
Alexander	238	Doetsch	207	Allen	171	Bruno	172
Drukman	240	Robins	244	Ditrane	172	Munzer	129
Morse	331	Scotto	346	Steinberg	207	Robinson	226
Robbins	289	Benzra	144	Szwartz	129	Wilson	224
Cavell	261	Grossman	333	Abrams, Eliz.	279	Conway	217
Golburgh	276	Lipson	318	Abrams, Mary L.	314	Lynch	264
Morse	247	Nelson	261	Fischer	164	Ward	330
				Ford	250		1
				Gilbert	108		7.
				White	161		8.
				Young	173		9.
					5		10.
							11.
							12.
							13.
							14.
							15.
							16.
							17.
							18.
							19.
							20.
VOTE FOR 1 ONE YEAR TERM							
Curran			310	1			

(Write titles of offices on this line)		PRECINCT 9		PRECINCT 10		PRECINCT 11		PRECINCT 12	
TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM	
Dempsey	181	Herman	244	Baram	213	Connorton	254	Block 1.	
McCabe	214	Kamphier	230	Herman	251	Lamphier	324	" 2.	
O'Reilly	244	Koff	246	Smullin	130	Mamis	271	" 3.	
Saloman	318	Scorzello	225	Socransky	142	Weinberg	251	" 4.	
Knott	167	Stone	294	Davis	251	Donovan	148	" 5.	
Koretsky	218	Chipman	273	Edelman	273	Eckman	127	" 6.	
Lally	112	Klein	171	Fitch	139	Kayakachian	187	" 7.	
Mangiaracine	137	Novakoff	261	Lerra	161	Wiener	307	" 8.	
Pepper	231	Raddov	217	Levetin	212	Wise	156	" 9.	
Shubow	357							" 10.	
Silver	206							" 11.	
Winston	179							" 12.	
								" 13.	
								" 14.	
								" 15.	
								" 16.	
								" 17.	
								" 18.	
								" 19.	
								" 20.	
								" 21.	
VOTE FOR 1 ONE YEAR TERM									
Kraus			202						
Sacks			253						

PRECINCT 5	PRECINCT 6		PRECINCT 7		PRECINCT 8		
	TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		
Coleman	376	2	Hewitt	346	1	Crowley	206
Peters	329	1	Lipman	311	3	Feder	248
Sweeney	394	1	Norris	261	5	Liebergott	199
Childs	285		Simat	237		Duggan	273
Gadsby	278		Bonoff	167		Novakoff	245
Hanford	222		Griffin	327	2	Ross	262
Lupien	343	4	Kaplan	276	4	Silfer	188
Lynch	349	3	Pearson	220		Vokonas	223
MacDermid	200		Soboff	154			5
Norcott	198		Walsh	172			
O'Leary	301						
Rogers	330	5					

VOTE FOR 1 ONE YEAR TERM		
Johnson	322	1

PRECINCT 13	PRECINCT 14		PRECINCT 15		PRECINCT 16		
	TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		TOWN MEETING MEMBERS VOTE FOR 5 THREE YEAR TERM		
Alkon	185		Bremner	291	4	Cohen	346
Baybutt	275	4	Galatis	311	5	Haase	352
Krasnow	223		Spunt	334	4	Jacobs	310
Nichelson	336	1	Welch	342	3	Sapers	270
Muse	241	5	Berg	248		Tofias	352
Brussel	165		Connolly	346	2	Boxenhorn	240
Kahn	295	3	Elcock	348	1	Harding	112
Kassier	310	2	Pollock	227		Hirschom	273
Steiman	209					Frawley	301

VOTE FOR 1 TWO YEAR TERM		
Koretsky	350	1
Manly	173	

## OFFICER'S RETURN

Norfolk, ss.

Brookline, Massachusetts, March 31, 1975

By virtue of this Warrant, I this day notified and warned the inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 7:30 P.M., Tuesday, April 29, 1975, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of March 27, 1975, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

(s) John P. McElroy  
Constable

I hereby certify that at least seven days before the time of said meeting I notified the Town Meeting Members of the meeting, by letter on February 10, 1975, copies of the Warrant mailed on March 31, 1975 and copies of the Selectmen and Advisory Committee Reports mailed on April 22, 1975 to the last known address of said members.

Attest:  
Thomas F. Larkin  
Town Clerk

## WARRANT

### The Commonwealth of Massachusetts

Norfolk, ss.

To any Constable of the Town of Brookline,  
Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on

**THURSDAY, the First Day  
of May, 1975**

at eight-thirty o'clock in the evening for the following purposes, to wit:

**FIRST ARTICLE.** To see if the Town will transfer from Surplus Revenue a sum or sums of money to fund the following cost items contained in labor agreements between the Town and the Brookline Engineering Division Associates, Local 950, International Association of Firefighters (IAFF), AFL-CIO, and the Brookline Police Association for the period July 1, 1974 through June 30, 1975:

1. To provide for a longevity pay system applicable to employees in the collective bargaining unit represented by the Brookline Engineering Division Associates which would authorize payment of \$100 per year to employees with 10 to 20 years of service and \$200 per year to employees with 20 or more years of service.
2. To provide a one time payment of \$100 to employees in the collective bargaining unit represented by the Brookline Engineering Division Associates in lieu of any clothing allowance for that portion of time spent in field work over a number of years.

3. To provide for an additional 1.5% salary increase to employees in the collective bargaining unit represented by Local 950, IAFF. (This amount, when added to the 8.5% appropriated by the 1974 Annual Town Meeting, will result in an increase in firefighter rates of 10% above the rates authorized by the 1973 Annual Town Meeting for the period April 1, 1973-June 30, 1974.)
4. To provide for a longevity pay system applicable to employees in the collective bargaining unit represented by Local 950, IAFF, which would authorize payment of \$300 per year to employees with 10 to 15 years of service, \$400 per year to employees with 15 to 20 years of service and \$500 per year to employees with 20 or more years of service.
5. To provide for an increase in additional compensation paid to the Fire Captain-Drill Instructor from \$575 per year to \$1,250 per year.
6. To provide for an additional 1.5% salary increase to employees in the collective bargaining unit represented by the Brookline Police Association. (This amount, when added to the 8.5% appropriated by the 1974 Annual Town Meeting, will result in an increase in police officer rates of 10% above the rates authorized by the 1973 Annual Town Meeting for the period April 1, 1973-June 30, 1974.)

or take any other action with respect thereto.

**SECOND ARTICLE.** To see if the Town will amend the General Provisions of the Pay Plan section of Article 1-B of the Bylaws of the Town by adding to part 5, "Legal Holidays", of the sub-section entitled "Work Schedules, Overtime & Holiday Pay Treatment" the words "Martin Luther King's Birthday" after the words "New Years Day" and before the words "Washington's Birthday"; and to further see if the Town will transfer from Surplus Revenue the sum of Twenty Thousand Dollars (\$20,000) to pay police officers and firefighters for such holiday, or take any other action with respect thereto.

**THIRD ARTICLE.** To see if the Town will transfer from Surplus Revenue the sum of Two Hundred Fifty Dollars and Seventy Cents (\$250.70) to a Special Account to permit the Town Treasurer to reimburse Milton Pechenick for medical expenses and lost wages resulting from personal injuries sustained by him while performing the duties of an Auxiliary Policeman on April 2, 1971, as authorized by Chapter 96 of the Acts of 1975, or take any other action with respect thereto.

**FOURTH ARTICLE.** To see if the Town will transfer from Surplus Revenue to a Special Account a sum not to exceed Four thousand Dollars (\$4,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen to reimburse Department of Public Works motor equipment repairmen, Robert Collins, Charles Driver, Steven Delaney and Richard Malley, for personally owned tools which were stolen from the Department of Public Works garage during the week-end of June 30 to July 2, 1973, such tools having been individually supplied and stored on Town property as a condition of employment, as authorized by Chapter 97 of the Acts of 1975, or take any other action with respect thereto.

**FIFTH ARTICLE.** To see if the Town will transfer from Surplus Revenue the amount of Twenty-Five Thousand Dollars (\$25,000) to be expended by the Board of Assessors, with the approval of the Board of Selectmen for the reassessment of all real estate and personal property in the Town, or take any other action with respect thereto.

**SIXTH ARTICLE.** To see if the Town will transfer from Surplus Revenue a sum or sums to supplement various departmental appropriations as required, or take any other action with respect thereto.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this fourteenth day of April, in the year of our Lord one thousand nine hundred and seventy-five.

ROBERT C. COCHRANE, JR.  
HERBERT ABRAMS  
ELEANOR MYERSON  
EDWARD NOVAKOFF  
JUDAH M. STONE  
BOARD OF SELECTMEN

## OFFICER'S RETURN

Norfolk, ss.

Brookline, April 19, 1975

By virtue of this Warrant, I this day notified and warned the inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 8:30 P.M., Thursday, May 1, 1975, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of April 17, 1975, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

(s) William A. Figler  
Constable

I hereby certify that at least seven days before the time of the meeting, I notified the Town Meeting Members of the meeting by letter and copy of the Warrant mailed on April 18, 1975 and copies of the Reports of the Selectmen and Advisory Committee mailed on April 24, 1975, to the last known address of said members.

Attest:  
Thomas F. Larkin  
Town Clerk

## TOWN OF BROOKLINE

Massachusetts

April 17, 1975

To Town Meeting Members:

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held on Thursday, May 1, 1975 at 8:30 P.M.

The Meeting will be held in the Brookline High School Auditorium.

Very truly yours,  
Thomas F. Larkin  
Town Clerk

## WARRANT

### The Commonwealth of Massachusetts

Norfolk, ss.

To any Constable of the Town of Brookline,  
Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on

**THURSDAY, the Eighth Day  
of May, 1975**

at eight-thirty o'clock in the evening for the following purpose, to wit:

**FIRST ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form, or take any other action with respect thereto.

**AN ACT ESTABLISHING THE BASIS OF APPORTIONMENT OF COUNTY TAXES FOR FISCAL YEAR 1974 FOR THE TOWN OF BROOKLINE.**

Be it enacted, etc., as follows:

The amount of property for the Town of Brookline in Norfolk County for the fiscal year 1974 is hereby established to be \$512,000,000 and shall constitute the basis of apportionment for all County taxes and charges for such fiscal year.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid this twenty-second day of April in the year of our Lord one thousand nine hundred and seventy-five.

Robert C. Cochrane, Jr.  
Herbert Abrams  
Eleanor Myerson  
Edward Novakoff  
Judah M. Stone  
Board of Selectmen

### OFFICER'S RETURN

Norfolk, ss.

Brookline, Massachusetts, April 26, 1975

By virtue of this Warrant, I this day notified and warned the inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 8:30 P.M., Thursday, May 8, 1975, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of April 24, 1975, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

(s) Tania R. Langerman  
Constable

I hereby certify that at least seven days before the time of said meeting, I notified the Town Meeting Members of the meeting by letter mailed on April 24, 1975, copies of the Warrant mailed on April 28, 1975 and copies of the Reports of the Selectmen and Advisory Committee mailed on May 1, 1975, to the last known address of said members.

Attest:  
Thomas F. Larkin  
Town Clerk

### TOWN OF BROOKLINE

Massachusetts

To Town Meeting Members:

April 24, 1975

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held on Thursday, May 8, 1975 at 8:30 P.M.

The meeting will be held in the Brookline High School Auditorium.

Very truly yours,  
Thomas F. Larkin  
Town Clerk

# WARRANT

## The Commonwealth of Massachusetts

**Norfolk, ss.**

**To any Constable of the Town of Brookline,  
Greetings:**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on

**WEDNESDAY, the Fourteenth  
Day of May, 1975**

at seven-thirty o'clock in the evening for the following purposes to wit:

**FIRST ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, sums of money for the construction, original equipping and furnishing of the new Lincoln School on the so-called Park School site; determine how such funds should be expended, and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the Town therefor, or take any other action with respect thereto.

**SECOND ARTICLE.** To see if the Town will supplement the appropriation heretofore made for final plans and specifications for a new Lincoln School so that such plans and specifications will include a design of a school to accommodate no more than 490 students; and to raise and appropriate, or appropriate from available funds, a sum of money to be expended by the Building Commission with the approval of the Board of Selectmen to accomplish the foregoing, or to take any other action with respect thereto.

**THIRD ARTICLE.** To see if the Town will accept and allow the laying out, relocating and widening of Hedge Road to form a cul-de-sac approximately four hundred thirty-five (435) feet easterly from the intersection of Hedge Road with the southerly sideline of Boylston Street as laid out, relocated and widened by the Selectmen, and as shown in a plan of land entitled "Plan and Profile of the Relocation of a Portion of Hedge Road, by Leo D. Picardi, P.E., Commissioner of Public Works, dated December 23, 1974," both of which are filed in the Town Clerk's office, and to transfer from the School Committee to the Board of Selectmen the care, custody and control of the portion of Lots 1-4 in Block 322 to be used as a public way; such acceptance, allowance, and transfer to become effective only upon approval by the Massachusetts Board of Education of State Aid for the Lincoln School project following appropriation of funds for construction at a 1975 Annual or Special Town Meeting, or take any other action with respect thereto.

**FOURTH ARTICLE.** To see if the Town will amend the vote to discontinue Hedge Road as passed under Article 8 of the Special Town Meeting held on Tuesday, November 19, 1974 and adjourned to November 21, 1974 by adding to the vote printed on Page 27 of the pamphlet entitled "Reports of Selectmen and Advisory Committee on the Articles in the Warrant for the Special Town Meeting Tuesday, November 19, 1974" the following, or take any other action with respect thereto:

Said discontinuance shall be subject to easements for the purposes of construction, reconstruction, maintenance and control of an access to the New Lincoln School for the passage of pedestrians and vehicles, and for the purpose of providing access to parking areas incidental to said school and for purposes of parking, and for purposes of construction, reconstruction and from time to time repair of such utilities as, but not limited to, sewers, drains, water mains, gas mains, telephone and electric ducts and lines together with their appurtenances as may be deemed necessary for the proper operation of the said School which easements the Town hereby reserves.

These easements, shown on a plan entitled "Plan of Easement off Kennard Road" by Leo D. Picardi, P.E., Commissioner of Public Works, dated February 4, 1975, on file in the Town Clerk's office, are described as follows:

Beginning at a point on the west sideline of Kennard Road as accepted by the Town October 24, 1895, said point being further described as being 185.56' southerly from Boylston Street;

Thence running southerly by the westerly sideline of Kennard Road for a distance of fifty-seven and eighty-two hundredths (57.82) feet (17.623 meters) to a point that is the intersection of the center line at Hedge Road and the sideline of Kennard Road;

Thence turning and running westerly along the center line of Hedge Road by a curve to the left having a radius of four hundred twenty-seven and four hundredths (427.04) feet (130.162 meters) for a distance of one hundred thirteen and sixty hundredths (113.60) feet (34.625 meters);

Thence turning and running northwesterly for a distance of twenty and no hundredths (20.00) feet (6.096 meters);

Thence turning and running easterly along the sideline of Hedge Road by a curve to the right having a radius of four hundred forty-seven and four hundredths (447.04) feet (136.258 meters) for a distance of eighty-three and forty-nine hundredths (83.49) feet (25.448 meters);

Thence turning and running easterly in a straight line for a distance of nineteen and ninety-one hundredths (19.91) feet (6.069 meters);

Thence turning and running easterly, northeasterly and northerly by a curve to the left having a radius of twenty and no hundredths (20.00) feet (6.096 meters) for a distance of twenty-seven and sixty-six hundredths (27.66) feet (8.431 meters);

Thence turning and running northeasterly for a distance of twenty and six hundredths (20.06) feet (6.114 meters) to the point of beginning.

**FIFTH ARTICLE.** To see if the Town will authorize the Selectmen to acquire from the Commonwealth of Massachusetts by purchase, gift, or otherwise, title to all or any part of the land hereinafter described, designated as Parcel 11 on a plan of land entitled: "The Commonwealth of Massachusetts Plan of Road in the Town of Brookline, Norfolk County Altered and laid out as a State Highway by the Department of Public Works September 7, 1954. Scale: 40 feet to the inch" by H.G. Gray, Chief Engineer, Layout No. 4189, and recorded in Norfolk County Registry of Deeds on September 17, 1954 in Book 3301, Page 1, Plan Book 190, as Plan Nos. 1233-1238-1954, or an easement or leasehold interest therein, on such terms as the Board of Selectmen may determine, and to raise and appropriate, or appropriate from available funds, a sum of money for the cost of such acquisition. Such land is bounded and described as follows:

NORTHERLY by Boylston Street (Route Nine);

EASTERLY by Hedge Road;

SOUTHERLY by land now or formerly of Henry P. Crowley;

WESTERLY by Warren Street.

Containing about thirty-nine thousand nine hundred and twenty square feet of land, or take any other action with respect thereto.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this twenty-ninth day of April in the year of our Lord one thousand nine hundred and seventy-five.

Robert C. Cochrane, Jr.  
 Herbert Abrams  
 Eleanor Myerson  
 Edward Novakoff  
 Judah M. Stone  
 Board of Selectmen

## OFFICER'S RETURN

Norfolk, ss.

Brookline, Massachusetts, May 2, 1975

By virtue of this Warrant, I this day notified and warned the Inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 7:30 P.M., Wednesday, May 14, 1975, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of May 1, 1975, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

(s) James V. Esposito  
Constable

I hereby certify that at least seven days before the time of said meeting, I notified the Town Meeting Members of the meeting by letter and copy of the Warrant being mailed on May 2, 1975 and copies of the Reports of the Selectmen and Advisory Committee being mailed on May 7, 1975, to the last known address of said members.

Attest:  
Thomas F. Larkin  
Town Clerk

## TOWN OF BROOKLINE

Massachusetts

May 2, 1975

To Town Meeting Members:

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held on Wednesday, May 14, 1975 at 7:30 P.M.

The meeting will be held in the Brookline High School Auditorium.

Very truly yours,  
Thomas F. Larkin  
Town Clerk

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4.	Increase in Retirement Allowances (Chap. 32, s. 90A) . . .
5.	Annual Appropriation Vote . . . . .
6.	Unpaid Bills, payment of (\$35,799.22) . . . . .
7.	Lincoln School, construction, equipping and furnishing . .
8.	Lincoln School, plans and specifications (490 pupils) (\$30,000)
9.	Hedge Road, alteration and widening; transfer care, custody and control of certain land from the School Committee to Selectmen . . . . .
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## ANNUAL TOWN MEETING

April 29, 1975

Pursuant to the Warrant of the Selectmen, served according to law upon the inhabitants of the Town of Brookline by a Constable of said Town, and written notices sent by the Town Clerk at least seven days before the day of the meeting to the Town Meeting Members qualified to act in Town Meetings in Brookline under the provisions of Chapter 43A of the General Laws, as amended, accepted by the Town of Brookline March 10, 1942, the Town Meeting Members, so qualified, met at the High School Auditorium in said Town on Tuesday, April 29, 1975 at half past seven in the evening.

Lists of duly qualified Town Meeting Members were used at the entrances to the meeting place and were in charge of Joseph F. Egan, Edward Kelly, John T. Mulhane and Vinson T. Rasta, checkers, who were sworn to the faithful performance of their duties by the Town Clerk. The list contained the names of two hundred fifty-seven (257) Town Meeting Members qualified to participate in and vote in Town Meetings in Brookline.

No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At forty-five minutes past seven o'clock the checkers reported that one hundred eighty-one (181) names of Town Meeting Members had been checked, or more than one half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

The first verse of "The Star Spangled Banner" was sung by the audience accompanied at the piano by Robert I. Sperber, Superintendent of Schools.

Invocation by Rabbi Irwin M. Blank of Temple Ohabei Shalom, 1187 Beacon Street, Brookline.

The moderator requested the Town Meeting Members to remain standing in respect to the members and former members who died since the last Annual Town Meeting.

The Town Clerk read the following list:

Name	Term	Date of Death
John P. Ball	1958-1967	September 6, 1974
Thomas J. Corcoran	1958-1966	September 15, 1974
Francis R. Donohue	1947-1956	March 8, 1975
Simon P. Townsend	1943-1957	April 22, 1975

Luster T. Delany presented a plaque to Governor Michael S. Dukakis and it was read by the Moderator.

The Governor addressed the Town Meeting Members.

The Moderator appointed the following members as tellers: Mary M. Joyce, Haskell A. Kassler, J. Robert Morse, Albert A. Silverman, Maurice Davis and Robert J. Awkward. They were sworn to the faithful performance of their duties by the Town Clerk.

Mr. Robert C. Cochrane, Jr., Chairman of the Board of Selectmen, addressed the meeting and reported on the fiscal position of the Town, the free cash and approximate increase in the tax rate if all budgets and articles were voted.

Carl M. Sapers, Chairman of the Advisory Committee addressed the meeting and reported on the action taken by the Advisory Committee.

At the request of the Moderator all newly elected Town Meeting Members were sworn to the faithful performance of their duties by the Town Clerk.

Richard Close, a student from Brookline High School, volunteered his services to facilitate the use of the microphones by the Town Meeting Members.

The Moderator checked through the Articles in the Warrant and those not held would be acted upon first.

**FIRST ARTICLE.** To see if the Town will vote that the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen, or take any other action with respect thereto.

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*Voted:* That the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen.

**SECOND ARTICLE.** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 1975, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or take any other action with respect thereto.

On motion of Herbert Abrams, duly seconded, it was unanimously:

*Voted:* That the Town Treasurer with the approval of the Selectmen, be and hereby is, authorized to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 1975, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

FOURTH ARTICLE. To see if the Town, pursuant to the provisions of Section 90A of Chapter 32 of the General Laws, will increase the retirement allowance of any former employee of the Town who was retired on account of injury sustained in the performance of his duty, or take any other action with respect thereto.

On motion of Edward Novakoff, duly seconded, it was unanimously:

*Voted:* To increase the retirement allowances and pensions of former employees of the Town eligible under the provisions of Section 90A of Chapter 32 of the General Laws, who were retired under the provisions of Chapter 32 on account of injuries sustained in the performance of their duties, to an amount equal to one-half the rate of regular compensation now payable to employees of the Town holding similar positions in the same grade or classification occupied by them at the time of their retirement, as determined by the Brookline Retirement Board.

A two-thirds vote being required, the above vote was passed unanimously, was so declared by the Moderator, and is so recorded.

THIRTEENTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of Twenty-five Thousand Dollars (\$25,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for the reconstruction of the tennis courts at Longwood Playground, and will authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Land and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town surplus, or take any other action with respect thereto.

On motion of Judah M. Stone, duly seconded, it was:

*Voted:* To raise and appropriate the sum of Twenty-five Thousand Dollars (\$25,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for the reconstruction of the tennis courts at Longwood Playground, and to authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Land and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town's surplus.

The above vote was taken by count, one hundred sixty (160) voted in the affirmative, seven (7) voted in the negative and one (1) abstained from voting.

FOURTEENTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of Twenty-Five Thousand Dollars (\$25,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for modifications in design and construction of the Clark Playground, and will authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Land and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town's surplus, or take any other action with respect thereto.

On motion of Eleanor Myerson, duly seconded, it was unanimously:

*Voted:* To raise and appropriate the sum of Twenty-five Thousand Dollars (\$25,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for modifications in design and construction of the Clark Playground, and to authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Land and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town's surplus.

A two-thirds vote being required, the above vote was passed unanimously, was so declared by the Moderator, and is so recorded.

EIGHTEENTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of One Hundred Two Thousand Two Hundred Thirty-nine Dollars (\$102,239) for the repair, reconstruction, and resurfacing of the following public ways under Chapter 765, Section 4, Acts of 1972 to be reimbursed from the Commonwealth and/or the County: St. Paul Street (from Aspinwall Avenue to the Boston Line); South Street (from Newton Street to Grove Street); and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the Town therefor, or take any other action with respect thereto.

On motion of Carl M. Sapers, duly seconded, it was:

*Voted:* To appropriate from available funds in the Treasury the sum of One Hundred Two Thousand Two Hundred Thirty-nine Dollars (\$102,239)

for the repair, reconstruction, and resurfacing of the following public ways under Chapter 765, Section 4, Acts of 1972: St. Paul Street (from Aspinwall Avenue to the Boston Line) and South Street (from Newton Street to Grove Street), to meet State and County shares of Chapter 765 highway construction, the reimbursements from the State and County to be restored upon their receipt to Surplus Revenue.

**FORTY-EIGHTH ARTICLE.** To hear and act upon the Reports of Town Officers and Committees.

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To accept the Report of the Comprehensive Plan Review Commission with thanks.

A motion duly made and seconded to refer Articles 28 through 40 to the Selectmen for insertion in the first Town Meeting after October 1, 1975, was defeated.

A motion duly made and seconded to act on Town Bylaw Articles 28 through 34 and refer Articles 35 through 40 to the fall Town Meeting, was defeated.

**THIRD ARTICLE.** To see if the Town will amend Article 1-B of the Bylaws of the Town by adding, deleting or substituting positions or classes in the Classification Plan, or will otherwise amend said Article 1-B, and will amend the Pay Plan by establishing, deleting or substituting minimum, maximum or flat rate salaries for any position or class which may have been added to, deleted from or substituted in the Classification Plan under this Article, or by changing any of the existing salaries, or by amending the general provisions with respect to sick leave, vacation leave and the like; or otherwise amend said Pay Plan, or take any other action with respect thereto.

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To amend Article 1-B (Classification and Pay Plans) of the Bylaws of the Town by adding to the Labor Classifications Pay Schedule a new pay grade to be identified as L-9 with a maximum weekly salary of \$255.00 per week.

On motion of Carl M. Sapers, duly seconded, it was:

*Voted:* To amend Article 1-B (Classification and Pay Plans) of the Bylaws of the Town by reallocating each of the following classifications to a higher pay grade effective July 1, 1975:

- a. Building Inspector  
from G-16 (Min. \$283.75 - Max. \$298.75)  
to G-17 (Min. \$292.35 - Max. \$307.35)
- b. Motor Equipment Repair Foreman  
from G-14 (Min. \$247.30 - Max. \$259.30)  
to G-15 (Min. \$261.60 - Max. \$273.60)
- c. Deputy Inspector of Weights and Measures  
from G-13 (Min. \$238.10 - Max. \$250.10)  
to G-14 (Min. \$247.30 - Max. \$259.30)
- d. Golf Course and Skating Rink Manager  
from G-13 (Min. \$238.10 - Max. \$250.10)  
to G-14 (Min. \$247.30 - Max. \$259.30)
- e. Working Foreman-Golf Course  
from L-8 (\$239.80 - Flat Rate)  
to L-9 (\$255.00 - Flat Rate)

On motion of Carl M. Sapers, duly seconded, it was;

*Voted:* To amend said Article 1-B (Classification and Pay Plans) of the Bylaws of the Town as follows:

- a. BY ADDING the following new classifications and assigned pay grades, subject to prior approval by the Appointing Authority, Commission, if any, the Board of Selectmen and the Civil Service Commission as necessary, together with such title verification or title change, competitive or promotional examinations as may be required by the Civil Service Director where applicable:
  1. Assistant Planning Director - Grade G-20  
(Min. \$338.75 - Max. \$353.75)
  2. Signal Maintainer - Grade G-13  
(Min. \$238.10 - Max. \$250.10)
  3. Laboratory Technician - Grade G-9  
(Min. \$200.45 - Max. \$209.45)
  4. X-Ray Technician - Grade G-7  
(Min. \$186.20 - Max. \$195.20)
  5. Dog Officer - Grade G-6  
(Min. \$181.05 - Max. \$190.05)
- b. BY DELETING the following classifications from the Classification and Pay Plans as there are no incumbents and the classifications are no longer required:
  1. Inspector of Wires - Fire Department
  2. Laboratory and X-Ray Technician
  3. Laborer and Watchman
  4. Library Guard (P.T.)
  5. Mason and Laborer
  6. Skilled Laborer - Weigher
  7. Working Foreman - Sidewalks
- c. BY CHANGING the title of the following classification as indicated with no change in pay grade:
  1. Park Ranger to Park Security Officer

On motion of Carl M. Sapers, duly seconded, it was;

*Voted:* To amend the Classification and Pay Plans by adding to the section "Work Schedules, Overtime and Holiday Pay Treatment" of the General Provisions of the Pay Plan the following new paragraph:

The Assistant Town Clerk shall be paid \$1,300 per year in addition to regular salary as compensation for all overtime work performed as Assistant Town Clerk, effective July 1, 1974.

**FIFTH ARTICLE.** To act upon the appropriations asked for or proposed by the Selectmen or by any other officer, board or committee and to fix the salary or other compensation of all elected officers of the Town as provided in Section 108 of Chapter 41 of the General Laws, or take any other action with respect thereto.

On motions duly made and seconded, all items and conditions applicable as printed or amended, were unanimously voted except items 6, 15, 19, 20, 21, 22, 24, 25, 36 and 37, which were voted by a majority vote. The appropriation votes were considered on April 29, May 1 and May 6, 1975, but are listed chronologically for recording purposes.

## ANNUAL APPROPRIATION VOTE

## A.

## For expenses of General Government, specifically appropriated as follows:

1. Selectmen	\$ 158,320.00
	The salaries of the Selectmen shall be at the rate of \$3,500 per annum for the chairman and at the rate of \$2,500 per annum for each of the other four.
2. Personnel	53,134.00
3. Advisory Committee	2,050.00
4. Planning Department	114,621.00
5. Town Clerk	189,938.00
	The salary of the Town Clerk shall be at the rate of \$22,430 per annum provided that all fees received by him by virtue of his office shall be paid into the Town Treasury for the use of the Town.
6. Legal Expenses	116,980.00
(a) Indemnifications — G.L. Chap. 41, Sec. 100A	3,000.00
7. Comptroller	3,246,669.00
8. Treasurer and Collector	111,681.00
	Of this amount \$10,329.00 is to be taken from the account entitled Parking Meter Fees, and \$101,352.00 be included in the tax levy. The salary of the Treasurer and Collector shall be at the rate of \$24,220 per annum provided that all fees received by him by virtue of his offices shall be paid into the Town Treasury for the use of the Town.
9. Assessors	98,403.00
10. Purchasing	74,205.00
11. Town Hall	156,932.00
12. Repairs to Public Buildings	120,830.00
13. General Services and Communications	226,864.00
	<b>\$ 4,673,627.00</b>

## B.

## For Maintaining the Public Safety, specifically appropriated as follows:

14. Police Department	\$ 2,789,693.00
	Of this amount \$79,381.46 is to be taken from the account entitled Parking Meter Fees, \$355,000.00 is to be transferred from the Revenue Sharing Trust Fund, and \$2,355,311.54 to be raised and appropriated in the tax levy.

On motion of Joan J. Fried, duly seconded, it was:

*Voted:* That a Moderator's Committee of 8-15 be appointed to report back before the next Annual Town Meeting to study the problems of street crime and make recommendations about changes that might be made in police programs relevant to the overwhelming problem.

15. Transportation Department . . . . . 60,990.00

On motion of Michael Robbins, duly seconded, it was:

*Voted:* That a committee of not more than five nor less than three members be appointed by the Board of Selectmen for the purpose of investigating whether functions of the Transportation Department may be better carried out in another department and to make such other recommendations with regard thereto, as it may deem appropriate, and to submit a report no later than the fall, 1975 Town Meeting.

16. Fire Department . . . . . 3,477,993.00

Of this amount \$575,000.00 is to be transferred from the Revenue Sharing Trust Fund, and \$2,902,993.00 is to be raised and appropriated in the tax levy.

17. Building Inspection . . . . . 221,444.00

\$ 6,550,120.00

### C.

**For Public Works**, specifically appropriated as follows:

18. Personal Services . . . . . 2,854,472.00

19. Maintenance of Public Works . . . . . 1,767,843.00

Of this amount \$75,000 is to be taken from the account entitled Parking Meter Fees, and \$4,547,315.00 is to be raised and appropriated in the tax levy.

### D.

**For Public Health**, specifically appropriated as follows:

20. Health Department . . . . . \$ 600,935.00

### E.

**For Veterans' Services**, specifically appropriated as follows:

21. Veterans' Services . . . . . \$ 507,289.00

### F.

**For Maintaining the Public Schools**, specifically appropriated as follows:

22. Instructional Services . . . . . \$ 8,435,932.00

23. Support Services . . . . . 4,866,243.00

Total of above items . . . . . 13,302,175.00

Less amounts available from P.L. 864 and

874 accounts . . . . . 172,175.00

\*\$13,130,000.00

The expected amount which the Town will receive under Chap. 643, Acts of 1948, in 1975-1976 from School Aid and other sources is:

Estimates of School Aid and State reimbursements \$1,005,177.00.

Estimated amount of Construction grants: \$435,913.00.

Estimates of other receipts on account of School support \$81,200.00.

Total estimated receipts on account of School support \$1,522,290.00.

\*Of this amount not more than \$13,391.00 is available for travel outside of State.

## G.

For Maintaining Libraries, specifically appropriated as follows:

Public Library	
24. Personal Services	714,608.00
25. Maintenance of Library	<u>300,075.00</u>
	\$1,014,683.00

Of this amount \$22,008.38 is to be taken from the account entitled State Aid for Free Public Libraries, and \$992,674.62 is to be raised and appropriated in the tax levy.

## H.

For Council for the Aging, specifically appropriated as follows:

26. Council for the Aging	\$ 94,290.00
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## I.

For Conservation Commission, specifically appropriated as follows:

27. Conservation Commission	\$ 33,807.00
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## J.

For Maintenance and Construction of Parks and Public Grounds, Recreation and for the Suppression of Insects and the Planting and Preserving of Trees, specifically appropriated as follows:

Park Division:

28. Personal Services	\$ 904,057.00
29. Maintenance of Parks and Public Grounds	<u>197,995.00</u>
Total Park Division	\$ 1,102,052.00

Recreation Division:

30. Personal Services	\$ 610,816.00
31. Maintenance of Recreation	<u>328,169.00</u>
Total Recreation Division	\$ 938,985.00

**Forestry Division:**

32. Personal Services . . . . .	\$ 165,318.00
33. Planting and Preserving Trees and Suppres- sion of Insects (Including Dutch Elm Disease) . . . . .	<u>90,563.00</u>
Total Forestry Division . . . . .	\$ <u>255,881.00</u>
	\$2,296,918.00

A two-thirds vote being required under item 33, the vote was taken by count, one hundred eighty (180) voted in the affirmative, three (3) voted in the negative and one (1) abstained, was so declared by the Moderator, and is so recorded.

**K.**

**For Maintenance and Care of Cemeteries**, specifically appropriated as follows:

34. Care of Cemeteries . . . . .	\$ 91,817.00
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Of this amount \$29,653.25 is to be taken from receipts in Walnut Hills Cemetery accounts, the sale of lots and miscellaneous and \$62,163.75 be included in the tax levy.

**L.**

**For Rent Control Board**, specifically appropriated as follows:

35. Rent Control Board . . . . .	\$ 145,828.00
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**M.**

**For Human Relations — Youth Resources**, specifically appropriated as follows:

36. Human Relations — Youth Resources . .	\$ 169,417.00
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**N.**

**For Unclassified Expenses**, specifically appropriated as follows:

37. Travel Outside State: (a) On order of the Board of Selectmen	\$ 5,000.00
38. Printing Warrants and Reports . . . . .	32,000.00
39. Contingencies Account . . . . .	43,000.00
40. Reserve Fund . . . . .	460,000.00
41. Group Insurance . . . . .	1,238,000.00
42. Workmen's Compensation . . . . .	233,320.00
To be paid upon orders of the Workmen's Compensation Agent approved by the Board of Selectmen.	
43. Dues — Selectmen's Association . . . . .	520.00
44. Dues — Mass. League of Cities and Towns	3,064.00
45. Property & Boiler Insurance . . . . .	126,400.00
46. Payment in Lieu of Taxes (City of Boston) . . . . .	<u>6,000.00</u>
	\$ 2,147,304.00

## O.

**For Interest on the Town Debt and Temporary Loans and for so much of the Principal of the Town Debt as matures during the current fiscal year:**

47. Payment on Maturing Funded Debt . . .	\$2,662,000.00
Of this amount \$220,000.00 is to be transferred from the Revenue Sharing Trust Fund, and \$2,442,000 is to be raised and appropriated in the tax levy.	
48. Interest on Funded Debt . . . . .	1,165,804.00
49. Miscellaneous Interest and Fees . . . . .	<u>100,000.00</u>
	\$ 3,927,804.00

**For Adjustments in Salaries**

Salary Adjustments School Committee . . . \$890,000.00

To provide for salary adjustments of School Committee employees as a result of collective bargaining.

**Conditions**

The salaries voted herein shall be for the fiscal year beginning July 1, 1975.

Expenditures chargeable to funds provided for Personal Services shall be restricted to the total amounts set forth in the recommendations of the Advisory Committee respecting each department and program, as they may be amended by action of the Town at a Town Meeting, and such funds may be used for Personal Services only, as if voted separately in the appropriation vote. Such expenditures shall be limited (a) to the number of positions in each pay or salary classification and (b) as to each position not within the Classification and Pay Plans of the Town, to the amount of compensation recommended by the Advisory Committee therefor, as they may be amended by action of the Town at a Town Meeting, unless specifically changed by the Selectmen. Funds recommended by the Advisory Committee for overtime, as they may be amended by action of the Town at a Town Meeting, shall be restricted to expenditures for that specific purpose.

Expenditures chargeable to funds provided for Contractual Services shall be restricted to the total amounts set forth in the recommendations of the Advisory Committee respecting each department and program, as they may be amended by action of the Town at a Town Meeting, and such funds may be used for Contractual Services only, as if voted separately in the appropriation vote.

Expenditures chargeable to funds provided for Supplies and Materials shall be restricted to the total amounts set forth in the recommendations of the Advisory Committee respecting each department and program, as they may be amended by action of the Town at a Town Meeting, and such funds may be used for Supplies and Materials only, as if voted separately in the appropriation vote.

Expenditures chargeable to funds provided for Other Charges shall be restricted to the total amounts set forth in the recommendations of the Advisory Committee respecting each department and program, as they may be amended by action of the Town at a Town Meeting, and such funds may be used for Other Charges only, as if voted separately in the appropriation vote.

The Selectmen may permit specific transfers among the funds provided for Contractual Services, Supplies and Materials, and Other Charges, within the total amount of such funds appropriated for each department and program.

Whenever materials are furnished by one department or program to another, the cost of which is charged in the first instance to the appropriation of the former, detailed records thereof shall be kept and credit be given to the former in the records of the Comptroller.

The foregoing restrictions on expenditures for Personal Services, Contractual Services, Supplies and Materials, and Other Charges shall not apply to the appropriation for maintaining the Public Schools.

Expenditures chargeable to funds provided for Capital Expenditures shall be restricted to the items and amounts set forth in the recommendations of the Advisory Committee respecting each department and program, as they may be amended by action of the Town at a Town Meeting, as if voted separately in the appropriation vote, unless specifically changed by the Selectmen within the total amount appropriated for each department and program.

Twelve months after the completion and acceptance of any construction voted under any Article at this Town Meeting, all unencumbered funds shall be closed to the Surplus Revenue of the Town, or otherwise disposed of in accordance with law, and no further expenditures shall be authorized.

Expenditures chargeable to the appropriation for Repairs to Public Buildings shall be restricted to the items and amounts set forth in the recommendations of the Advisory Committee, as they may be amended by action of the Town at a Town Meeting, unless specifically changed by the Selectmen.

Authority is hereby granted to the School Committee to enter into leases for temporary classrooms at various locations.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of the Annual Town Meeting will be held on Thursday, May 1, 1975 at 7:30 P.M. in the High School Auditorium.

At fifty minutes after eleven o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting at 11:50 P.M. until Thursday, May 1, 1975 at 7:30 P.M., at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred fifty-two (252) Town Meeting Members had been checked as present at the meeting.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED ANNUAL TOWN MEETING

May 1, 1975

In accordance with the vote passed at the Annual Town Meeting on April 29, 1975, the Town Meeting Members met at the High School Auditorium on Thursday, May 1, 1975 at half past seven in the evening.

No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At forty-five minutes after seven o'clock, the checkers reported that one hundred fifty-two (152) names of Town Meeting Members had been checked, or more than one-half of all members qualified, and the Town Clerk reported a quorum was present. Richard J. Nyhan replaced John T. Mulhane as a checker.

The meeting was called to order by the Moderator, Justin L. Wyner. The Moderator requested any Town Meeting Member not previously sworn in to stand. All members had been previously sworn.

Article 5, Item 15: A motion by Michael Robbins, duly seconded, was voted and inserted under this appropriation vote.

**Article 5, Item 16:**

A motion to increase the Fire Department budget by \$38,969.00 by James P. Duggan, duly seconded, was defeated.

At nine o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the Annual Town Meeting until the Special Town Meeting, called for at eight-thirty P.M. on May 1, 1975, is recessed or dissolved.

## **SPECIAL TOWN MEETING**

**May 1, 1975**

A quorum being present, the Moderator called the Special Town Meeting to order at 9:00 P.M.

**FIRST ARTICLE.** To see if the Town will transfer from Surplus Revenue a sum or sums of money to fund the following cost items contained in labor agreements between the Town and the Brookline Engineering Division Associates, Local 950, International Association of Firefighters (IAFF), AFL-CIO, and the Brookline Police Association for the period July 1, 1974 through June 30, 1975:

1. To provide for a longevity pay system applicable to employees in the collective bargaining unit represented by the Brookline Engineering Division Associates which would authorize payment of \$100 per year to employees with 10 to 20 years of service and \$200 per year to employees with 20 or more years of service.
2. To provide a one time payment of \$100 to employees in the collective bargaining unit represented by the Brookline Engineering Division Associates in lieu of any clothing allowance for that portion of time spent in field work over a number of years.
3. To provide for an additional 1.5% salary increase to employees in the collective bargaining unit represented by Local 950, IAFF. (This amount, when added to the 8.5% appropriated by the 1974 Annual Town Meeting, will result in an increase in firefighter rates of 10% above the rates authorized by the 1973 Annual Town Meeting for the period April 1, 1973 - June 30, 1974.)
4. To provide for a longevity pay system applicable to employees in the collective bargaining unit represented by Local 950, IAFF, which would authorize payment of \$300 per year to employees with 10 to 15 years of service, \$400 per year to employees with 15 to 20 years of service and \$500 per year to employees with 20 or more years of service.
5. To provide for an increase in additional compensation paid to the Fire Captain-Drill Instructor from \$575 per year to \$1,250 per year.
6. To provide for an additional 1.5% salary increase to employees in the collective bargaining unit represented by the Brookline Police Association. (This amount, when added to the 8.5% appropriated by the 1974 Annual Town Meeting, will result in an increase in police officer rates of 10% above the rates authorized by the 1973 Annual Town Meeting for the period April 1, 1973 - June 30, 1974.)

or take any other action with respect thereto.

On motion of Robert J. Cochrane, Jr., duly seconded, it was unanimously:

*Voted:* To transfer from Surplus Revenue the total amount of One Hundred Fifteen Thousand Eight Dollars (\$115,008) to fund the following cost items contained in the labor agreements between the Town and the Brookline Engineering Division Associates, Local 950, International Association of Firefighters, AFL-CIO (IAFF), and the Brookline Police Association, for the period July 1, 1974 through June 30, 1975, said sum to be allocated as indicated below:

1. The amount of Eight Hundred Dollars (\$800) to provide for a longevity pay system applicable to employees in the collective bargaining unit represented by the Brookline Engineering Division Associates which would authorize payment of \$100 per year to employees with 10 to 20 years of service and \$200 per year to employees with 20 or more years of service.
2. The amount of Eighteen Hundred Dollars (\$1,800) to provide a one-time payment of \$100 to employees in the collective bargaining unit represented by the Brookline Engineering Division Associates in lieu of any clothing allowance for that portion of time spent in field work over a number of years.
3. The amount of Fifty-five Thousand Two Hundred Thirty-Three Dollars (\$55,233) to provide for an additional 1.5% salary increase to employees in the collective bargaining unit represented by Local 950, IAFF. (This amount, when added to the 8.5% appropriated by the 1974 Annual Town Meeting will result in an increase in firefighter rates of 10% above the rates authorized by the 1973 Annual Town Meeting for the period April 1, 1973 - June 30, 1974.)
4. The amount of Twenty Thousand Five Hundred Dollars (\$20,500) to provide for a longevity pay system applicable to employees in the collective bargaining unit represented by Local 950, IAFF, which would authorize payment of \$300 per year to employees with 10 to 15 years of service, \$400 per year to employees with 15 to 20 years of service and \$500 per year to employees with 20 or more years of service.
5. The amount of Six Hundred Seventy-Five Dollars (\$675) to provide for an increase in additional compensation paid to the Fire Captain-Drill Instructor from \$575 per year to \$1,250 per year.
6. The amount of Thirty-Six Thousand Dollars (\$36,000) to provide for an additional 1.5% salary increase to employees in the collective bargaining unit represented by the Brookline Police Association. (This amount, when added to the 8.5% appropriated by the 1974 Annual Town Meeting, will result in an increase in police officer rates of 10% above the rates authorized by the 1973 Annual Town Meeting for the period April 1, 1973 - June 30, 1974.)

**SECOND ARTICLE.** To see if the Town will amend the General Provisions of the Pay Plan section of Article 1-B of the Bylaws of the Town by adding to part 5, "Legal Holidays", of the subsection entitled "Work Schedules, Overtime & Holiday Pay Treatment" the words "Martin Luther King's Birthday" after the words "New Years Day" and before the words "Washington's Birthday"; and to further see if the Town will transfer from Surplus Revenue the sum of Twenty Thousand Dollars (\$20,000) to pay police officers and firefighters for such holiday, or take any other action with respect thereto.

On motion of Herbert Abrams, duly seconded, it was:

*Voted:* To amend the General Provisions of the Pay Plan section of Article 1-B of the Bylaws of the Town by adding to part 5, "Legal Holidays" of the subsection entitled "Work Schedules, Overtime & Holiday Pay Treatment" the words "Martin Luther King's Birthday" after the words "New Years Day" and before the words "Washington's Birthday"; and to transfer from Surplus Revenue the sum of Twenty Thousand Dollars (\$20,000) to pay police officers and firefighters for such holiday.

**THIRD ARTICLE.** To see if the Town will transfer from Surplus Revenue the sum of Two Hundred Fifty Dollars and Seventy Cents (\$250.70) to a Special Account to permit the Town Treasurer to reimburse Milton Pechenick for medical expenses and lost wages resulting from personal injuries sustained by him while performing the duties of an Auxiliary Policeman on April 2, 1971, as authorized by Chapter 96 of the Acts of 1975, or take any other action with respect thereto.

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To transfer from Surplus Revenue the sum of Two Hundred Fifty Dollars and Seventy Cents (\$250.70) to a Special Account to permit the Town Treasurer to reimburse Milton Pechenick for medical expenses and lost wages resulting from personal injuries sustained by him while performing the duties of an Auxiliary Policeman on April 2, 1971, as authorized by Chapter 96 of the Acts of 1975.

**FOURTH ARTICLE.** To see if the Town will transfer from Surplus Revenue to a Special Account a sum not to exceed Four Thousand Dollars (\$4,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen to reimburse Department of Public Works motor equipment repairmen, Robert Collins, Charles Driver, Steven Delaney and Richard Malley, for personally owned tools which were stolen from the Department of Public Works garage during the weekend of June 30 to July 2, 1973, such tools having been individually supplied and stored on Town property as a condition of employment, as authorized by Chapter 97 of the Acts of 1975, or take any other action with respect thereto.

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To transfer from Surplus Revenue to a Special Account a sum not to exceed Four Thousand Dollars (\$4,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen to reimburse Department of Public Works motor equipment repairmen, Robert Collins, Charles Driver, Steven Delaney and Richard Malley, for personally owned tools which were stolen from the Department of Public Works garage during the weekend of June 30 to July 2, 1973, such tools having been individually supplied and stored on Town property as a condition of employment, as authorized by Chapter 97 of the Acts of 1975.

**FIFTH ARTICLE.** To see if the Town will transfer from Surplus Revenue the amount of Twenty-Five Thousand Dollars (\$25,000) to be expended by the Board of Assessors, with the approval of the Board of Selectmen for the reassessment of all real estate and personal property in the Town, or take any other action with respect thereto.

A motion by Robert C. Cochrane, Jr., duly seconded, for the adoption of this Article, was defeated.

The vote was taken by count, one hundred (100) voted in the affirmative and one hundred (100) voted in the negative, was so declared by the Moderator, and is so recorded.

**SIXTH ARTICLE.** To see if the Town will transfer from Surplus Revenue a sum or sums to supplement various departmental appropriations as required, or take any other action with respect thereto.

On motion of Carl M. Sapers, duly seconded, it was:

*Voted:* To transfer from Surplus Revenue the sum of Three Hundred Thousand Seven Hundred Eighty-Eight Dollars (\$300,788) to supplement the following appropriations, said sums to be allocated by the Comptroller to the proper departmental classification codes:

Park and Recreation Commission		\$ 34,000
Park Division	.....	6,325
Recreation Division	.....	
Department of Public Works	.....	86,710
Police Department	.....	4,000
Public Library	.....	30,733
School Committee	.....	85,570
Town Hall	.....	39,450
Non-Contributory Pensions	.....	14,000
		<u>\$300,788</u>

At fifty minutes after nine o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* That this Special Town Meeting be now dissolved.

## RECESSED ANNUAL TOWN MEETING

The Annual Town Meeting was reconvened at 9:51 P.M. and called to order by the Moderator.

Article 5, Item 19, Public Works:

Total appropriation of \$4,622,315.00 voted by a majority vote.

Article 5, Item 20, Health Department:

A motion by Eleanor Myerson, duly seconded, for the appropriation of \$600,935.00 for the Health Department, was voted by a majority vote.

Article 5, Item 21, Veterans' Services:

A motion by Thomas F. Larkin, duly seconded, to restore \$4,000.00 in the budget for Veterans' Quarters, was defeated. The vote was taken by count, eighty-eight (88) voted in the affirmative and one hundred thirteen (113) voted in the negative, was so declared by the Moderator, and is so recorded.

The main motion by Carl M. Sapers, duly seconded, for the appropriation of \$507,289.00 for Veterans' Services was voted by a majority vote.

Article 5, Items 22 and 23, Public Schools:

A motion by Ann M. Wacker, duly seconded, for the addition of \$33,750.00 for a total budget of \$13,163,750.00, was defeated.

The items of \$26,250.00, \$5,000.00 and \$2,500.00, were individually voted and defeated.

The main motion, item 22 for Instructional Services, in the amount of \$8,435,932.00 was voted by a majority vote.

The main motion, item 23, for Support Services, in the amount of \$4,866,243.00, was voted unanimously.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of the Recessed Annual Town Meeting will be held on Tuesday, May 6, 1975 at 7:30 P.M. in the High School Auditorium.

At thirty minutes after eleven o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting at 11:30 P.M. until Tuesday, May 6, 1975 at half past seven in the evening, at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred forty (240) Town Meeting Members had been checked as present at the meeting.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED ANNUAL TOWN MEETING

May 6, 1975

In accordance with the vote passed at the Recessed Annual Town Meeting on May 1, 1975, the Town Meeting Members met at the High School Auditorium on Tuesday, May 6, 1975 at half past seven in the evening.

No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At fifty-five minutes after seven o'clock, the checkers reported that one hundred forty-five (145) names of Town Meeting Members had been checked, or more than one-half of all members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

**Article 5, Item 24, Public Libraries:**

Emilie L. Drooker moved \$714,608.00 for Personal Services, duly seconded.

A motion by Luster T. Delany, duly seconded, to move Library items separately, was defeated.

The main motion of \$714,608.00 was voted by a majority vote.

Emilie L. Drooker moved \$300,075.00 for Maintenance of Library, duly seconded. Voted by a majority vote.

**Article 5, Item 35, Rent Control:**

On motion duly made and seconded, it was unanimously:

*Voted:* To appropriate \$145,828.00 for Rent Control.

**Article 5, Item 36, Human Relations — Youth Resources:**

On motion duly made and seconded, it was:

*Voted:* To appropriate \$169,417.00 for Human Relations — Youth Resources.

**Article 5, Item 37, Travel Outside State:**

A motion by Robert C. Cochrane, Jr., duly seconded, for an appropriation of \$8,495.00 for Outside State Travel, was defeated.

On motion of Carl M. Sapers, duly seconded, for an appropriation of \$5,000.00 for Outside State Travel, it was:

*Voted:* To appropriate \$5,000.00 for Outside State Travel.

**Article 5, Item 41, Group Insurance:**

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To appropriate \$1,238,000.00 for Group Insurance.

**Article 5, Item 45, Property and Boiler Insurance:**

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To appropriate the sum of \$126,400.00 for Property and Boiler Insurance.

**Article 5, Item 47, Payment on Maturing Funded Debt:**

On motion of Allan Sidd, duly seconded, it was unanimously:

*Voted:* To appropriate the sum of \$2,662,000.00 for Payment on Maturing Funded Debt.

**Article 5, Item 48, Interest on Funded Debt:**

On motion of Allan Sidd, duly seconded, it was unanimously:

*Voted:* To appropriate the sum of \$1,194,804.00 for Interest on Funded Debt.

**SIXTH ARTICLE.** To see if the Town, in accordance with Section 64 of Chapter 44 of the General Laws, will authorize payment of the following unpaid bills of previous years in the amounts indicated below, and which may be legally unenforceable due to the insufficiency of the appropriation therefor:

**SCHOOL COMMITTEE**

Mainco School Supply Company . . . . .	\$ 2,071.83
Smith, Sellew, Doherty & Ashley, Myer, Smith, Architects in Joint Venture . . . . .	<u>3,882.80</u>
	\$ 5,954.63

**DEPARTMENT OF TRANSPORTATION**

B. L. Makepeace, Inc. . . . .	<u>155.85</u>
	155.85

**DEPARTMENT OF VETERANS' SERVICES**

Thomas J. Ford, D.M.D. . . . .	21.00	
Mass. Rehabilitation Hosp. . . . .	1,727.50	
Peter Bent Brigham Hosp. . . . .	176.10	
St. Elizabeth's Hosp. . . . .	8.50	
Beth Israel Hosp. . . . .	<u>12,969.32</u>	14,902.42

**GROUP INSURANCE**

Mass. Hosp. Services, Inc. . . . .	<u>14,786.32</u>	14,786.32
		<u>\$35,799.22</u>

and will raise and appropriate, or appropriate from available funds, the sum of Thirty-five Thousand Seven Hundred Nine-nine Dollars and twenty-two cents (\$35,799.22) to pay for the same, or take any other action with respect thereto.

A motion for the payment of bills in the amount of \$35,799.22 was made by Robert C. Cochrane, Jr., and was duly seconded.

Motion was amended by Shepard A. Spunt to delete the amount of \$3,882.80, duly seconded.

The amounts due were voted separately as follows:

*Voted:* In accordance with Section 64 of Chapter 44 of the General Laws, to authorize payment of the following unpaid bills of previous years, in the amounts indicated below, which may be legally unenforceable due to the insufficiency of the appropriation therefor, and to raise and appropriate the sum of Thirty One-Thousand Nine Hundred Sixteen Dollars and Forty-Two Cents (\$31,916.42) to pay for the same.

**SCHOOL COMMITTEE**

Mainco School Supply Company . . . . .	\$ 2,071.83
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**DEPARTMENT OF TRANSPORTATION**

B. L. Makepeace, Inc. . . . .	155.85
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**DEPARTMENT OF VETERANS' SERVICES**

Thomas J. Ford, D.M.D. . . . .	21.00	
Mass. Rehabilitation Hosp. . . . .	1,727.50	
Peter Bent Brigham Hosp. . . . .	176.10	
St. Elizabeth's Hosp. . . . .	8.50	
Beth Israel Hosp. . . . .	<u>12,969.32</u>	14,902.42

**GROUP INSURANCE**

Mass. Hosp. Services, Inc. . . . .	<u>14,786.32</u>	
		<u>\$31,916.42</u>

A four-fifths vote being required the above votes were passed unanimously, with the exception of amount due Smith, Sellew, Doherty & Ashley, Myer, Smith Architects in Joint Venture, which failed to obtain a majority vote, were so declared by the Moderator, and are so recorded.

On motion duly made and seconded, it was unanimously:

*Voted:* To defer Articles seven through twelve until last business of this meeting or at a Special Town Meeting.

**FIFTEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of Fifteen Thousand Dollars (\$15,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for the Reconstruction of the Multiple Play Area and the Screen Planting of Evergreens at the Baldwin Playground, and will authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Land and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town's surplus, or take any other action with respect thereto.

On motion of Herbert Abrams, it was:

*Voted:* To raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for the Reconstruction of the Multiple Play Area and the Screen Planting of Evergreens at the Baldwin Playground, and to authorize the Board of Selectmen to seek reimbursement to the Town for 50% of the sum so expended, to make application to and to enter into a contract with the Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Natural Resources as State Liaison Officer for the Bureau of Outdoor Recreation, United States Department of the Interior, for a grant under the Federal Land and Water Conservation Fund Act of 1965, P.L. 88-578, and to make any amendments as required and take any necessary action to secure matching funds; any sums received as a result of said application and contract to be returned to the Town's surplus.

A two-thirds vote being required, the above vote was taken by count, one hundred eighty (180) voted in the affirmative and five (5) voted in the negative, was so declared by the Moderator, and is so recorded.

**SIXTEENTH ARTICLE.** To see if the Town will raise and appropriate the sum of Two Hundred and Fifty Thousand Dollars (\$250,000) to be expended by the Commissioner of Public Works, with the approval of the Board of Selectmen, for laying and relaying water mains of not less than six (6) inches or more than sixteen (16) inches in diameter and for lining such mains with linings of not less than one-sixteenth (1/16) of an inch and determine how any such appropriation will be raised whether by taxation, transfer of available funds, by borrowing or otherwise, and if by borrowing to authorize the issuance of bonds or notes of the Town therefor, or take any other action with respect thereto.

A motion by Samuel E. Shaw, II, duly seconded, for an appropriation of \$170,000.00 to be expended by the Commissioner of Public Works, as above, was amended by Edward Novakoff to \$250,000.00. Amendment was defeated.

On the main motion it was:

*Voted:* To raise and appropriate the sum of One Hundred Seventy Thousand Dollars (\$170,000) to be expended by the Commissioner of Public Works, with the approval of the Board of Selectmen, for laying and relaying water mains of not less than six (6) inches or more than sixteen (16) inches in diameter and for lining such mains with linings of not less than one-sixteenth (1/16) of an inch.

**FORTY-THIRD ARTICLE.** To see if the Town will authorize the Selectmen to purchase or take by eminent domain under the General Laws for conservation purposes to provide for much needed urban open space certain parcels of land located adjacent to Harvard St., at Coolidge Corner, being designated in the 1974 Assessor's Atlas of the Town of Brookline as Lots 2-3, 20 and 24, in Block 82, bounded and described as follows: bounded on northerly side by Harvard St.; westerly by lots 1, 25 and Shaler St.; southwesterly by lots 23, 22, 21 and Centre St.; southeasterly by parking lot and driveway under the jurisdiction of the Town, as shown on Page 16 of said Atlas. Square footage: Lots 2 and 3, 36,024; Lot 24, 7,128; Lot 20, 6743; and to raise an appropriate sum of money to acquire said parcels and to pay for the same, or to pay for land damages and other costs in connection therewith; or will take any other action with respect thereto.

No Motion and No Action taken under this Article.

**SEVENTEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of Two Hundred Thousand (\$200,000) to be expended by the Commissioner of Public Works, with the approval of the Board of Selectmen, for the reconstruction, maintenance and repairs of various streets, sidewalks, bridges and paths within the Town, or take any other action with respect thereto.

On motion of Carl M. Sapers, duly seconded, it was:

*Voted:* To raise and appropriate the sum of Two Hundred Thousand Dollars (\$200,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen for the reconstruction, maintenance and repairs of various streets, sidewalks, bridges and paths within the Town.

On motion of Shepard A. Spunt, duly seconded, it was:

*Voted:* That Article 19 would be taken up as the first order of business at the next meeting on Wednesday, May 7, 1975.

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To defer action on Articles 21, 22, 23, 24, 25 and 26, generally relating to Community Development matters, to the May 13th session of the Annual Town Meeting or the last session of the Town Meeting if it occurs earlier.

Articles 20 and 46 to be discussed together.

**TWENTIETH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to be expended by the Board of Selectmen for the purpose of employing an independent accounting firm to conduct an audit of the financial records of the Town, or take any other action with respect thereto.

On motion of Edward Novakoff, duly seconded, it was:

*Voted:* To raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) to be expended by the Board of Selectmen for the purpose of employing an independent accounting firm to conduct an audit of the financial records of the Town and perform related services.

**FORTY-SIXTH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form, or take any other action with respect thereto:

AN ACT TO AMEND CHAPTER 67 OF THE ACTS OF 1953, AN ACT ESTABLISHING THE OFFICE OF COMPTROLLER IN THE TOWN OF BROOKLINE.

SECTION 1. Chapter 67 of the Acts of 1953 entitled, An Act Establishing the office of Comptroller in the Town of Brookline, is hereby amended by repealing Section 2 (c) thereof, which reads as follows:

"(c) He shall be responsible for a continuous audit of all accounts and records of the town wherever located."

and renumbering Sections 2 (d) and 2 (e) as 2 (c) and 2 (d) respectively.

SECTION 2. This act shall take effect on its passage.

On motion of Eleanor Myerson, duly seconded, it was:

*Voted:* To petition and/or approve the filing of a petition to the General Court in substantially the following form:

AN ACT TO AMEND CHAPTER 67 OF THE ACTS OF 1953, AN ACT ESTABLISHING THE OFFICE OF COMPTROLLER IN THE TOWN OF BROOKLINE.

SECTION 1. Chapter 67 of the Acts of 1953 entitled, An Act Establishing the office of Comptroller in the Town of Brookline, is hereby amended by repealing Section 2 (c) thereof, which reads as follows:

"(c) He shall be responsible for a continuous audit of all accounts and records of the town wherever located."

and renumbering Sections 2 (d) and 2 (e) as 2 (c) and 2 (d) respectively.

SECTION 2. This act shall take effect on its passage.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of the Recessed Annual Town Meeting will be held on Wednesday, May 7, 1975 at 7:30 P.M. in the High School Auditorium.

At twenty minutes past eleven o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting at 11:20 P.M. until Wednesday, May 7, 1975 at half past seven in the evening, at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred twenty-five (225) Town Meeting Members had been checked as present at the meeting.

Our thanks to Martha Silber, Leslie Magson, James Nechin and Theresa Murphy, Brookline High School Students, who facilitated the use of the microphones by the Town Meeting Members.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED ANNUAL TOWN MEETING

May 7, 1975

In accordance with the vote passed at the Recessed Annual Town Meeting on May 6, 1975, the Town Meeting Members met at the High School Auditorium at half past seven in the evening.

No Town Meeting Members were allowed within the rails until their names were checked on the list.

At ten minutes past eight o'clock, the checkers reported that one hundred forty-five (145) names of Town Meeting Members had been checked, or more than one-half of all members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

**NINETEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of Fifty-two Thousand Two Hundred Dollars (\$52,200) to be expended by the Fire Chief with the approval of the Board of Selectmen, for the development of an emergency medical services system (EMSS) within the Fire Department, or take any other action with respect thereto.

A motion of Carl M. Sapers, duly seconded, to appropriate \$10,000.00 under Article 19, was amended by Robert C. Cochrane, Jr., duly seconded, to an amount of \$42,400.00.

Mary Kelligrew Kassler was appointed a teller to replace Haskell A. Kassler and Gerald S. Parker was appointed to replace Mary M. Joyce. They were sworn to the faithful performance of their duties by the Town Clerk.

A motion by Bernard E. Edelstein, duly seconded, that services should be without charge, was defeated.

The amended vote by Robert C. Cochrane, Jr., in the amount of \$42,400.00, was defeated.

The vote was taken by count, eighty (80) voted in the affirmative and ninety-four (94) voted in the negative, was so declared by the Moderator, and is so recorded.

On the main motion, it was:

*Voted:* To raise and appropriate the sum of \$10,000 to be expended by the Board of Selectmen for the development of emergency medical services within the Town, including, without limitation, for the purpose of obtaining the services of a private ambulance company.

**TWENTY-SEVENTH ARTICLE.** To see if the Town will amend the Building Code, as adopted by the Town April 13, 1972 and made effective January 1, 1973, by amending Section 118.3, SCHEDULE OF FEES, so that said Section shall read as follows, or take any other action with respect thereto:

**SCHEDULE OF FEES**

	<b>Fee</b>
<b>1. Building and Structures (including Alterations, Repairs and Demolition thereof based on building construction cost)</b>	
for the first one million dollars	\$ 5.00/\$1,000.
for the next four million dollars	4.00/\$1,000.
above five million dollars	1.00/\$1,000.
<b>2. Electrical</b>	
(based on cost of electrical work)	
for the first \$2,500.	5.00/\$500.
for the next \$7,500.	3.00/\$500.
for the next \$10,000.	2.00/\$500.
above \$20,000.	1.00/\$500.
<b>3. Gasfitting</b>	
New buildings	5.00/gas outlet
Alterations or Replacement	2.00/gas outlet
<b>4. Plumbing — New Buildings</b>	
(per dwelling unit)	
for the first fifteen dwelling units	15.00/dwelling unit
for the next thirty-five dwelling units	7.50/dwelling unit
above fifty dwelling units	4.00/dwelling unit
Alterations and Repairs	
(per fixture)	5.00/first fixture
	1.00/ea. add. fixt.
<b>5. Elevators, hoists, escalators</b>	
Elevators, escalators, hoists per installation	25.00/elevator
Dumbwaiters, per installation	15.00/dumbwaiter
Certificates of Inspection for elevators	25.00/elevator
Where more than one elevator may be inspected at the same location under the same ownership at the same time the fee for the first elevator inspection will be \$25.00 and \$15.00 for each of the succeeding elevators	

On motion of Judah M. Stone, duly seconded, it was unanimously:

*Voted:* To amend the Brookline Building Code, which was adopted by the Town April 13, 1972 and became effective January 1, 1973, by amending Section 118.3 SCHEDULE OF FEES, so that said Section shall read as follows:

## SCHEDULE OF FEES

	Fees
<b>1. Building and Structures (including Alterations, Repairs and Demolition thereof based on building construction cost)</b>	
for the first one million dollars	\$ 5.00/\$1,000.
for the next four million dollars	4.00/\$1,000.
above five million dollars	1.00/\$1,000.
<b>2. Electrical</b>	
(based on cost of electrical work)	5.00/\$500.
for the first \$2,500.	3.00/\$500.
for the next \$7,500.	2.00/\$500.
for the next \$10,000.	1.00/\$500.
above \$20,000.	
<b>3. Gasfitting</b>	5.00/gas outlet
New buildings	2.00/gas outlet
Alterations or Replacement	
<b>4. Plumbing — New Buildings</b>	
(per dwelling unit)	15.00/dwelling unit
for the first fifteen dwelling units	7.50/dwelling unit
for the next thirty-five dwelling units	4.00/dwelling unit
above fifty dwelling units	5.00/first fixture
Alterations and Repairs (per fixture)	1.00/ea. add. fixt.
<b>5. Elevators, hoists, escalators</b>	
Elevators, escalators, hoists per installation	25.00/elevator
Dumbwaiters, per installation	15.00/dumbwaiter
Certificates of Inspection for elevators	25.00/elevator
Where more than one elevator may be inspected at the same location under the same ownership at the same time the fee for the first elevator inspector will be \$25.00 and \$15.00 for each of the succeeding elevators.	

**TWENTY-EIGHTH ARTICLE.** To see if the Town will amend Article XV-A of the Town Bylaws as follows:

1. Title: By adding the words "and structures."
2. Section 2: By deleting the first paragraph and substituting therefor: "Except as otherwise provided by statute, whenever a Town building or structure ("the facility") is to be constructed, reconstructed, altered or remodelled, the following steps shall be taken in the following sequence unless waived by the Selectmen as hereinafter provided."
3. By adding: "Section 5. The terms "building" and "structure" as used herein are to be given the same definitions as set forth in the Commonwealth of Massachusetts State Building Code filed on July 1, 1974 and effective on January 1, 1975."

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To amend Article XV-A of the Bylaw as follows:

1. Title: By adding the words "and structures."
2. Section 2: By deleting the first paragraph and substituting therefor: "Except as otherwise provided by statute, whenever a Town building or structure ("the facility") is to be constructed, reconstructed, altered or remodelled, the following steps shall be taken in the following sequence unless waived by the Selectmen as hereinafter provided."
3. By adding: "Section 5. The terms "building" and "structure" as used herein are to be given the same definitions as set forth in the State Building Code."

**TWENTY-NINTH ARTICLE.** To see if the Town will amend the Bylaws of the Town of Brookline by deleting Article 1-A, or will take any other action with respect thereto.

A motion by Samuel E. Shaw, II, duly seconded, to delete Article 1-A of the Town Bylaws, was defeated.

A motion by Shepard A. Spunt, duly seconded, to eliminate members of the General Court who live in Brookline from Article I-A of the Town Bylaws, was defeated.

On motion of Ruth D. Dorfman, duly seconded, it was:

*Voted:* To amend Article I-A of the Town Bylaws by deleting the words "the chairman of the following boards: (6) of the assessors, (7) of the school committee, (8) of the trustees of the public library, (9) of the trustees of the Walnut Hills Cemetery, (10) of the planning board, (11) of the committee for planting trees, (12) of the registrars of voters, (13) of the personnel board, (14) of the park and recreation commission, (15) of the Advisory Committee," so that Article I-A of the Bylaws shall now read:

#### ARTICLE I-A TOWN MEETING MEMBERS AT LARGE

Pursuant to authority contained in Section 5 of Chapter 43A of the General Laws (Ter Ed) the following officers are designated as Town-meeting members at large, namely: (1) the members, inhabitants of the Town, who are the elected representatives of the Town in the General Court of the Commonwealth of Massachusetts, (2) the moderator, (3) the town clerk, (4) the selectmen, and (5) the town treasurer, such amendment to become effective March 31, 1976.

**THIRTIETH ARTICLE.** To see if the Town will adopt the following amendment to Article I-A of the Bylaws of the Town or otherwise amend and adopt said proposed amendments, or will take any other action with respect thereto:

1. To amend Article I-A by deleting the words "the chairman of the following boards: (6) of the assessors, (7) of the school committee, (8) of the trustees of the public library, (9) of the trustees of the Walnut Hills Cemetery, (10) of the planning board, (11) of the committee for planting trees, (12) of the registrars of voters, (13) of the personnel board, (14) of the park and recreation commission, (15) of the Advisory Committee." so that Article I-A of the Bylaws shall now read:

#### ARTICLE I-A TOWN MEETING MEMBERS AT LARGE

Pursuant to authority contained in Section 5 of Chapter 43A of the General Laws (Ter Ed) the following officers are designated as town-meeting members at large, namely: (1) the members from Brookline in the General Court of the Commonwealth of Massachusetts, (2) the Moderator, (3) the town clerk, (4) the town treasurer, (5) the Selectmen.

No Motion was offered and No Action was taken under this Article.

**THIRTY-FIRST ARTICLE.** To see if the Town will amend the Town Bylaws by adding thereto Article XXXV as follows, or take any other action with respect thereto:

#### ARTICLE XXXV FOOD VENDOR'S LICENSE

**SECTION 1.** No person shall offer food for sale to the public in a food service establishment, as hereinafter defined, unless licensed as a common victualler or an innholder under the provisions of c.140 of the General Laws, without first obtaining a Food Vendor's License under the provisions of this bylaw. Any person who violates this section shall be liable to a fine of \$50 per violation. Each day of operation without a Food Vendor's License shall constitute a separate violation.

**SECTION 2.** Food service establishment shall include any fixed or mobile place, structure or vehicle whether permanent, transient, or temporary, private, public or non-profit, routinely serving the public; or any other eating and drinking establishment or place in which food or drink is prepared for sale or for service to the public on the premises or elsewhere.

**SECTION 3.** Each applicant for such license shall submit, on forms to be provided by the Board of Selectmen, the following information: name and address of applicant, name and address of place of business, evidence, in form satisfactory to the Board of Selectmen, that the applicant has upon the premises the necessary implements and facilities for cooking, preparing and furnishing food to the public, and such other information as the Board of Selectmen shall require. The Selectmen may require applicants to submit a plan showing, if any, the location of fixtures and other facilities, and the general arrangement of the premises including, in the case of applications for premises not yet completed, estimates of the cost of the proposed arrangement and of the facilities indicated on the plan.

SECTION 4. Such license shall not be issued or be valid until it has been signed by a majority of the Board of Selectmen. The Selectmen may refuse to grant such a license if, in their opinion, the public good does not require it.

SECTION 5. Food Vendor's Licenses shall be valid for a term of one year from the first day of January until the 31st day of December. A non-refundable fee of \$25 shall be submitted with the application for such license. The Selectmen may in their discretion suspend the requirement of the fee for hospitals.

SECTION 6. If, in the opinion of the Board of Selectmen, a licensee ceases to be engaged in the activity licensed hereunder, or fails to maintain upon the premises on which such activity is licensed the implements and facilities required by this bylaw, the Selectmen shall immediately revoke his license. If the licensee at any time conducts his licensed business in an improper manner, the Board of Selectmen, after notice to the licensee and public hearing, may, upon satisfactory proof thereof, suspend or revoke his license.

On motion of Edward Novakoff, duly seconded, it was:

*Voted:* To amend the Town Bylaws by adding thereto Article XXXV as follows:

#### ARTICLE XXXV FOOD VENDOR'S LICENSE

SECTION 1. No person shall offer food for sale to the public in a food service establishment, as hereinafter defined, unless licensed as a common victualler or an innholder under the provisions of c.140 of the General Laws, without first obtaining a Food Vendor's License under the provisions of this bylaw. Any person who violates this section shall be liable to a fine of \$50 per violation. Each day of operation without a Food Vendor's License shall constitute a separate violation.

SECTION 2. Food service establishment shall include any fixed or mobile place, structure or vehicle whether permanent, transient, or temporary, private, public, or non-profit, routinely serving the public; or any other eating and drinking establishment or place in which food or drink is prepared for sale or for service to the public on the premises or elsewhere.

SECTION 3. Each applicant for such license shall submit, on forms to be provided by the Board of Selectmen, the following information: name and address of applicant, name and address of place of business, evidence, in form satisfactory to the Board of Selectmen, that the applicant has upon the premises the necessary implements and facilities for cooking, preparing and furnishing food to the public, and such other information as the Board of Selectmen shall require. The Selectmen may require applicants to submit a plan showing, if any, the location of fixtures and other facilities, and the general arrangement of the premises including, in the case of applications for premises not yet completed, estimates of the cost of the proposed arrangement and of the facilities indicated on the plan.

SECTION 4. Such license shall not be issued or be valid until it has been signed by a majority of the Board of Selectmen. The Selectmen may refuse to grant such a license if, in their opinion, the public good does not require it.

SECTION 5. Food Vendor's Licenses shall be valid for a term of one year from the first day of January until the 31st day of December. A non-refundable fee of \$25 shall be submitted with the application for such license. The Selectmen may in their discretion suspend the requirement of the fee for hospitals.

SECTION 6. If, in the opinion of the Board of Selectmen, a licensee ceases to be engaged in the activity licensed hereunder, or fails to maintain upon the premises on which such activity is licensed the implements and facilities required by this bylaw, the Selectmen shall immediately revoke his license. If the licensee at any time conducts his licensed business in an improper manner, the Board of Selectmen, after notice to the licensee and public hearing, may, upon satisfactory proof thereof, suspend or revoke his license.

THIRTY-SECOND ARTICLE. To see if the Town will amend the Town Bylaws by adding thereto Article XXXVI as follows, or take any other action with respect thereto:

#### ARTICLE XXXVI RETAIL FOOD STORES — HOURS OF OPERATION

SECTION 1. No person shall sell any food at retail between the hours of 2:00 A.M. and 6:00 A.M.

SECTION 2. No store or place of business engaged in the retail sale of food shall be open for transaction of retail business between the hours of 2:00 A.M. and 6:00 A.M.

SECTION 3. The term food used in this Bylaw shall include any article or commodity, however stored or packaged, intended for human consumption, and shall include alcoholic beverages to be consumed off the premises at which they are sold, unless any other law or permit or license granted to the seller of such beverages shall otherwise provide.

SECTION 4. This Article shall not apply to the sale of food or alcoholic beverages when such sale is by a common victualler or innholder licensed under c.140 of the General Laws, primarily engaged in the sale of food to be consumed on the premises where sold.

SECTION 5. Violators of this Article shall be subject to a fine of \$50 for each violation. For purposes of this Article, every calendar day on which a store shall remain open shall be deemed a separate offense, and each separate sale of food shall be deemed a separate offense. In the event of sale of several items at one time to one customer, only one sale shall be deemed to have taken place.

SECTION 6. In cases where, in their opinion, the public good requires it, the Board of Selectmen may issue a special permit allowing a store or place of business engaged in the retail sale of food to remain open for the transaction of such business to an hour, specified in the permit, later than 2:00 A.M., or to remain open 24 hours a day. Such special permits shall remain in effect for a period of one year. Application for such special permit shall be made on forms supplied by the Board of Selectmen, and shall be accompanied by a non-refundable fee of \$25.

On motion of Edward Novakoff, duly seconded, it was:

*Voted:* To amend the Town Bylaws by adding thereto Article XXXVI as follows:

#### **ARTICLE XXXVI RETAIL FOOD STORES — HOURS OF OPERATION**

SECTION 1. No person shall, except as hereinafter provided, sell any food at retail between the hours of 2:00 A.M. and 6:00 A.M.

SECTION 2. No store or place of business engaged in the retail sale of food shall, except as hereinafter provided, be open for transaction of retail business between the hours of 2:00 A.M. and 6:00 A.M.

SECTION 3. The term food used in this Bylaw shall include any article or commodity, however stored or packaged, intended for human consumption, and shall include alcoholic beverages to be consumed off the premises at which they are sold, unless any other law or permit or license granted to the seller of such beverages shall otherwise provide.

SECTION 4. This Article shall not apply to the sale of food or alcoholic beverages when such sale is by a common victualler or innholder licensed under c.140 of the General Laws, primarily engaged in the sale of food to be consumed on the premises where sold.

SECTION 5. Violators of this Article shall be subject to a fine of \$50 for each violation. For purposes of this Article, every calendar day on which a store shall remain open shall be deemed a separate offense, and each separate sale of food shall be deemed a separate offense. In the event of sale of several items at one time to one customer, only one sale shall be deemed to have taken place.

SECTION 6. In cases where, in their opinion, the public good requires it, the Board of Selectmen may issue a special permit allowing a store or place of business engaged in the retail sale of food to remain open for the transaction of such business to an hour, specified in the permit, later than 2:00 A.M., or to remain open 24 hours a day. Such special permits shall remain in effect for a period of one year. Application for such special permit shall be made on forms supplied by the Board of Selectmen, and shall be accompanied by a non-refundable fee of \$25.

A motion for reconsideration of Article 19 by Phyllis G. Ryack, duly seconded, was defeated. It did not obtain even a majority vote, a two-thirds vote being required, was so declared by the Moderator, and is so recorded.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of the Recessed Annual Town Meeting will be held on Thursday, May 8, 1975 at 7:30 P.M. in the High School Auditorium.

At fifty-five minutes past ten o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting until Thursday, May 8, 1975 at half past seven in the evening, at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred (200) Town Meeting Members had been checked as present at the meeting.

Our thanks to John Kennedy, Amy Greenberg and Paula Demopoulos, Brookline High School Students, who facilitated the use of the microphones by the Town Meeting Members.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED ANNUAL TOWN MEETING

May 8, 1975

In accordance with the vote passed at the Recessed Annual Town Meeting on May 7, 1975, the Town Meeting Members met at the High School Auditorium at half past seven in the evening.

No Town Meeting Members were allowed within the rails until their names were checked on the list.

At eight o'clock, the checkers reported that one hundred thirty-three (133) names of Town Meeting Members had been checked, or more than one-half of all members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

**THIRTY-THIRD ARTICLE.** To see if the Town will amend its By-laws by adding thereto the following:

### HOURS OF BUSINESS OPERATION

#### SECTION 1. Limitation of business hours.

Without a permit issued by the Board of Selectmen, no person shall in the Town of Brookline between the hours of 12:00 midnight and 6:00 in the morning conduct, transact, operate, or solicit business for or make accessible to the public the premises of a retail store, restaurant, or other occupation or establishment producing or selling goods, entertainment, or services other than the following services:

- (a) medical and psychiatric care,
- (b) ambulance and rescue services,
- (c) local transportation,
- (d) building maintenance,
- (e) heating fuel delivery,
- (f) security services,
- (g) snow removal,
- (h) towing of motor vehicles,
- (i) street and sidewalk maintenance,
- (j) maintenance of public works,
- (k) maintenance of regulated utilities,
- (l) communications services,
- (m) news gathering and reporting,
- (n) accounting and bookkeeping services,
- (o) rental of hotel and motel rooms,
- (p) private catering and entertainment,
- (q) care for the aged and infirm,
- (r) counseling and social welfare services,
- (s) disaster relief services, and
- (t) services of a government agency.

## SECTION 2. Permits for extended business hours.

Upon application and after notice and hearing, as provided in Section 3, the Board of Selectmen may issue a permit for extended business hours, authorizing specified operation by specified persons of a specified business at specified locations during specified hours otherwise prohibited by Section 1, if it finds that such operation:

- (a) is required to meet a public necessity,
- (b) will neither create nor contribute to additional hazard to the well-being, lives, or property of residents of the Town, and
- (c) will neither cause nor contribute to unreasonable noise, lighting, traffic, odors, pollution, or other disturbance to residents of the Town.

A permit for extended business hours may be issued only to a resident of the Town, who must be the individual proprietor of the business for which issued or, if the business does not have an individual proprietor, who must be its manager. The Board of Selectmen may attach to such a permit any limits or conditions it finds advisable to further or protect the interests of the Town. Such a permit must be issued for a specified period of time, not to exceed one year, and it may not be renewed. Continuation of business operation so permitted beyond this specified period of time shall require application for and issuance of an entirely new permit.

## SECTION 3. Applications, notices, and hearings for permits.

A permit for extended business hours must be applied for by the person requesting it.

An application shall include:

- (a) the full legal name of the applicant,
- (b) the residence address and telephone of the applicant,
- (c) the name under which the business applied for is to be operated,
- (d) the extended hours applied for, otherwise prohibited by Section 1,
- (e) the address and telephone of each business location to be used during the extended hours applied for,
- (f) the nature of business operations applied for,
- (g) the maximum number of persons to operate the business at each location during the extended hours applied for, and
- (h) the period of time applied for, not to exceed one year in length.

Accompanying and in support of an application, the applicant shall file a sworn statement concerning each of the following matters:

- (i) whether the applicant is a resident of the Town,
- (o) whether the business applied for has an individual proprietor,
- (p) the full name and street address of each beneficial owner of one percent or more of the business applied for, including corporations and their executive officers, shareholders of corporations, trusts and their trustees, and beneficiaries of trusts,
- (q) whether the applicant is the individual proprietor and whether the applicant is the manager of the business applied for,
- (r) whether the applicant or the business applied for has in the past applied for or been issued a permit for extended business hours and, if so, the dates of application and issuance,
- (s) whether the applicant or the business applied for has in the past been issued a permit for extended business hours that was terminated before the end of the period of time for which issued and, if so, the circumstances of any such termination,
- (t) the grounds on which the business operation during the extended hours applied for meets each of requirements (a), (b), and (c) of Section 2, and
- (u) whether the applicant has been informed of, has read, and is aware of the provisions of this bylaw.

Such a statement shall be made available to the public for inspection by the Board of Selectmen. No application shall be considered complete unless all items of information required by this Section have been supplied in full and until the applicant has paid to the Town of Brookline a nonrefundable application fee according to a schedule that shall be established and may from time to time be adjusted by the Board of Selectmen. Such a fee shall not exceed \$300.00 for each business location applied for and shall include all costs of preparation, publication, and delivery of notices required by this Section. The Board of Selectmen shall cause to be recorded on an application the date of its receipt in complete form.

Within forty-five days of receipt of a complete application for extended business hours, the Board of Selectmen shall hold a public hearing thereon. The day for such a hearing shall be a Monday, Tuesday, Wednesday, or Thursday that is not a public holiday. The time at which such a hearing is scheduled to begin shall be between 7:00 and 9:00 in the evening. The place for such a hearing shall be within a public building of the Town. Notice for such a hearing, naming its day, time, and place, listing the information supplied on the application under requirements (a) through (h) of this Section, and advising that a sworn statement of the applicant in support thereof with additional information may be inspected in the office of the Board of Selectmen shall be published by the Board of Selectmen three times in a newspaper of general circulation in the Town. The date of first publication shall be neither more than thirty nor less than twenty days before the day of the hearing. The day of last publication shall be neither more than ten nor less than three days before the day of the hearing. Neither more than thirty nor less than twenty days before the day of the hearing, the Board of Selectmen shall also send by first class mail to each resident and owner of and to each business located on property that is within five hundred feet of any property on which the applicant's business is to be conducted and to each Town Meeting Member whose precinct includes any of the aforementioned property notice of said hearing containing the same information as required for publication. In addition, the Board of Selectmen may release, publish, post, or distribute such additional notices or information as they deem necessary and appropriate, provided that no information in such additional materials shall contradict that contained in notices required by this Section.

At or prior to a hearing required by this Section, the Board of Selectmen shall allow any person or representative of any person, business, corporation, organization, or institution claiming an interest in the extended business hours applied for an opportunity to present information and views. Communications prior to the hearing shall be in writing only and shall be made available to the applicant for inspection. The Board of Selectmen may require that lengthy communications be presented or completed in writing. The applicant shall be allowed an opportunity to respond to any views or information presented. Within fifteen days after such a hearing, the Board of Selectmen shall vote whether or not to issue a permit. Failure of a motion to issue a permit shall constitute denial. Any definite action taken shall be conclusive and final and shall not be subject to reconsideration, and the applicant shall be notified thereof by first class mail within five days.

#### SECTION 4. Filing and posting of permits.

Each permit issued under this bylaw shall be signed by the members of the Board of Selectmen voting to issue it and placed on file for public inspection with the Town Clerk. Such a permit shall contain the information pertaining to it of the same form as that required by items (a) through (h) of Section 2 for applications. Any additional limits or conditions pertaining to such a permit shall be noted thereon, and the town Clerk shall add notations indicating any termination or revocation. The person to whom issued shall be furnished without charge one attested, true copy of such a permit for each business location authorized therein. While in effect, such a copy of a permit shall be prominently posted so as to be clearly readable from outside the principal entrance to each business location authorized therein; and it shall be removed upon expiration, termination, or revocation.

#### SECTION 5. Termination and revocation of permits.

A permit for extended business hours shall terminate if and when the person to whom it was issued ceases to be the individual proprietor or the manager of the business for which it was issued or ceases to be a resident of the Town. Said person and his successor, if any, as individual proprietor or manager of said business shall each notify the Town Clerk of such an occurrence within ten days by first class mail.

Upon finding that any requirements of Section 2 ceases to be met for any permit for extended business hours or that any limit or condition thereof has not been observed, the Board of Selectmen shall revoke said permit. At least five days prior to taking such action, the Board of Selectmen shall send by certified mail, return receipt requested, to the residence of the person to whom such a permit was issued and to each business location authorized therein notice that revocation of the permit will be considered, with an explanation the possible grounds therefor. Prior to voting on such revocation, it shall permit said person to present information and views relevant thereto. Such a permit shall terminate three days following a vote to revoke it. Notice of such a vote shall immediately be posted within the Town Hall, delivered to the Town Clerk, and sent by certified mail, return receipt requested, to the residence of the person to whom the permit in question was issued and to each business location authorized therein.

#### SECTION 6. Enforcement and penalties.

On behalf of the Town, the Board of Selectmen may seek to restrain violations of this bylaw by court order, filing of complaints, or otherwise. Each separate act held to constitute a violation and each day a condition shall exist held to constitute a continuing violation shall constitute a separate violation. Each violation shall be punishable by a fine of up to fifty dollars.

#### SECTION 7. Severability.

The provisions of this Bylaw are severable. If any provision shall be held by a court of competent jurisdiction to be invalid, unconstitutional, or inapplicable to any set of circumstances, unless held otherwise the validity or constitutionality of other provisions or the applicability to other circumstances shall not be affected thereby.

No Motion was offered and No Action was taken under this Article.

**THIRTY-FOURTH ARTICLE.** We the undersigned residents of the Town of Brookline amending the Dog Control Law (Dog Control Article XXII) and whereas a random stroll through the Town will disclose a multitude of dogs roaming around freely and whereas uncontrolled dogs are a menace to the inhabitants of the Town both through their viciousness and through the animal excrement which is a hygienic problem: We the undersigned inhabitants of the Town request that the Selectmen attach to the upcoming Town warrant to amend Article XXII Section A to include (7) "for having defecated

- (A) on private property (other than owner)
- (B) on public sidewalk
- (C) on tree lawns"

and deleting Article 6 last four words "or defecating on sidewalks" and adding to Section B (2) through (7) deleting (6) and further we request that any hearing or meeting regarding this amendment be held in the evening so that a maximum number may be available to be present at this hearing and meeting and that a public notice be given of this meeting.

On motion of Carl M. Sapers, duly seconded, it was:

*Voted:* To amend Article XXII of the Town Bylaws by adopting the following amendments thereto:

1. To amend Section 1(A) by adding thereto the following subsection (8):  
"(8) For having defecated (a) on private property other than that of its owner, (b) on a public sidewalk, or (c) on tree lawns."
2. To amend Section 1(a)(6) by deleting the words "or defecating on sidewalks."
3. To amend Section 1(B)(2) by deleting the reference to "subparagraphs (2) through (6), and substituting therefor a reference to "subparagraphs (2) through (8)."

**THIRTY-FIFTH ARTICLE.** To see if the Town will amend the Zoning By-Law by adopting the following amendment thereto or will otherwise amend and adopt said proposed amendment, or will take any other action with respect thereto:

To amend Section 6.11. Off-street Parking Space Regulations, by inserting after subparagraph (3) of paragraph (d) the following new subparagraph:

- (4) Public schools of the Town need not provide the requirements specified in this Section.

No Motion was offered and No Action was taken under this Article.

**THIRTY-SIXTH ARTICLE.** We the undersigned request that the Town of Brookline, Massachusetts amend its Zoning By-law in the following manner:

Delete Section 6.11(b) (4) which reads at present

- (4) The number of spaces required for housing (other than as specified in subsection (3) above having age of occupant or maximum rents controlled in order to comply with the conditions of Federal or State legislation or regulations thereunder may be reduced by the Board of Appeals by special permit where it can be demonstrated that the parking needed for occupants and visitors will be below that otherwise required by this Section and that the number of spaces otherwise required by this Section could eventually be accommodated on the site should the building ever be changed to other kinds of occupancy requiring additional parking spaces. Special permits granted under this section shall apply only to the original applicant for the type of rents and occupancy specified at the time of application, shall not be transferable, and shall not reduce the parking requirement below one-fifth of the number of spaces which would otherwise be required by this Section.

Carl M. Sapers moved motion on page 106 of the Report, duly seconded.

Roger W. Stern moved the Article as printed, duly seconded.

The motion by Roger W. Stern was defeated.

On the motion of Carl M. Sapers, duly seconded, it was:

*Voted:* A. That a study be initiated dealing with all of the issues pertaining to subsidized elderly housing in the Town. The study shall consider, but not be limited to, at least the following:

1. The effect on other housing, both public and private, subsidized and non-subsidized.
2. The net fiscal impact to the Town.
3. The need, both present and projected, for such housing.
4. The status of such housing in relation to other neighboring communities.
5. The impact of such housing on the surrounding neighborhood.
6. The need for special treatment of such housing in the zoning bylaw or elsewhere.

B. The study commission shall be appointed by the Moderator and consist of 15 citizen members broadly representing all areas of the Town. This group, so appointed, will consult and cooperate with any other study of similar scope being conducted by existing Town agencies. This study commission will complete its work in time to present its findings and proposed warrant articles, if any, to the next special Town Meeting following a 6 month period from the adoption of this vote. The commission will be dissolved upon so delivering its findings and recommendations.

At nine-thirty P.M., on motion duly made and seconded, it was unanimously:

*Voted:* To recess the Annual Town Meeting until the Special Town Meeting, called for at eight-thirty P.M. on May 8, 1975, is recessed or dissolved.

## SPECIAL TOWN MEETING

May 8, 1975

A quorum being present, the Moderator called the Special Town Meeting to order at 9:30 P.M.

**FIRST ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form, or take any other action with respect thereto.

### AN ACT ESTABLISHING THE BASIS OF APPORTIONMENT OF COUNTY TAXES FOR FISCAL YEAR 1974 FOR THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

The amount of property for the Town of Brookline in Norfolk County for the fiscal year 1974 is hereby established to be \$512,000,000 and shall constitute the basis of apportionment for all County taxes and charges for such fiscal year.

On motion of Carl M. Sapers, duly seconded by Robert C. Cochrane, Jr., it was unanimously:

*Voted:* To petition and/or approve the filing of a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form:

**AN ACT ESTABLISHING THE BASIS OF APPORTIONMENT OF COUNTY TAXES FOR FISCAL YEAR 1974 FOR THE TOWN OF BROOKLINE.**

Be it enacted, etc., as follows:

The amount of property for the Town of Brookline in Norfolk County for the fiscal year 1974 is hereby established to be \$512,000,000 and shall constitute the basis of apportionment for all County taxes and charges for such fiscal year.

At thirty-one minutes after nine o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* That this Special Town Meeting be now dissolved.

### **RECESSED ANNUAL TOWN MEETING**

The Annual Town Meeting was reconvened at 9:32 P.M. and called to order by the Moderator.

**THIRTY-SEVENTH ARTICLE.** To see if the Town will amend the Zoning By-Law by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or take any other action with respect thereto:

1. Amend section 9.3 by deleting the words "9.4 and 9.5" and substituting "9.4, 9.5 and 9.8".
2. Add section 9.8 after 9.7 as follows:

#### **"SECTION 9.8 NOTICE TO TOWN MEETING MEMBERS**

At least seven days before any public hearing on an application for a variance, a special permit, or an extension of time pursuant to section 9.7, the Board of Appeals shall mail or deliver a notice of such hearing, with a description of such application or a copy thereof, to each elected Town Meeting Member for the precinct in which is located the property as to which such application has been made."

This Article is inserted in the warrant on petition of more than ten (10) registered voters who offer the following explanation:

The Executive Committee of the Town Meeting Members' Association inserted this article in the warrant in response to the denial of its request that the Board of Appeals notify Town Meeting Members of all hearings affecting their precincts.

On June 25, 1974, the Executive Committee of the Town Meeting Members' Association unanimously voted "to request the Board of Appeals to notify all Town Meeting Members of all hearings which in any way concern their precincts."

The request was forwarded to the Board of Appeals as well as to the Board of Selectmen. The Selectmen were asked to urge the Board of Appeals to implement this policy.

On August 12, 1974, the Board of Selectmen unanimously voted to advise the Town Meeting Members' Association "that in instances of major significance, notices of Board of Appeals' hearings are sent to Town Meeting Members in affected precincts, and that all interested citizens can be informed of hearings through regular newspaper announcements."

Further communication to the Board of Selectmen relating to this issue and again soliciting cooperation went, in substance, unheeded. The Board of Appeals did not respond to the request of the Executive Committee of the Town Meeting Members' Association.

The Executive Committee of the Town Meeting Members' Association believes the policy of notification only in instances of "major significance" to be unwise, particularly since individuals vary as to their concept of what constitutes "major significance;" and it further believes that it is incumbent upon the Town agencies which have the power to alter neighborhoods to directly inform elected representatives of all proposals under consideration.

The only foreseeable result of adoption by the Board of Appeals of the request of the Executive Committee of the Town Meeting Members' Association is increased participation in the hearing process by interested citizens.

On motion of Ruth D. Dorfman, as amended by Shepard A. Spunt, duly seconded, it was:

*Voted:* To amend the Zoning Bylaw by adopting the following amendments thereto:

1. Amend section 9.3 by deleting the words "9.4 and 9.5" and substituting "9.4, 9.5 and 9.8".
2. Add section 9.8 after 9.7 as follows:

**Section 9.8 Notice to Town Meeting Members**

At least seven days before any public hearing on an application for a variance, a special permit, or an extension of time pursuant to section 9.7, the Board of Appeals shall mail or deliver a notice of such hearing, with a description of such application or a copy thereof, to each elected Town Meeting Member for the precinct in which is located the property and to those Town Meeting Members of a precinct which is within 200 feet of such property as to which such application has been made. The notice requirements of this section shall be deemed satisfied if such notices are mailed to those individuals whose names appear as Town Meeting Members in the records of the Town Clerk at the addresses as they appear in such records.

A two-thirds vote being required, the vote was taken by count, one hundred sixty (160) voted in the affirmative, thirteen (13) voted in the negative and one (1) abstained, was so declared by the Moderator, and is so recorded.

**THIRTY-EIGHTH ARTICLE.** To see if the Town will amend the Zoning Map by changing to M-1.5 an area in the vicinity of Egmont, Pleasant, Thatcher, and St. Paul Streets, consisting of those parts now zoned M-2.0 of land designated in the 1974 Atlas of the Town of Brookline on Plate 5 and described as follows:

Block 23: all lots; and abutting streets to the centerline thereof.

To see if the Town will amend the Zoning Map by changing to M-1.5 an area in the vicinity of Babcock, Dwight, Pleasant, and John Streets, consisting of those parts now zoned M-2.0 of land designated in the 1974 Atlas of the Town of Brookline on Plates 7 and 9 described as follows:

Block 35: Lots 44, 45, and 46;

Block 46: Lots 1, 2-4, 5, 6, 7, 8, 9, 10, 11, and 20.

Block 47: Lots 1, 2-3, 6A, 11, 11A, 12, 13, 14, 15, 16, and 17; and abutting streets to the centerline thereof.

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To amend the Zoning Map by changing to M-1.5 an area in the vicinity of Egmont, Pleasant, Thatcher, and St. Paul Streets, consisting of those parts now zoned M-2.0 of land designated in the 1974 Atlas of the Town of Brookline on Plate 5 and described as follows:

Block 23: all lots; and abutting streets to the centerline thereof.

A two-thirds vote being required, the above vote was taken by count, one hundred sixty-five (165) voted in the affirmative, ten (10) voted in the negative and four (4) abstained, was so declared by the Moderator, and is so recorded.

A motion by Robert C. Cochrane, Jr., duly seconded, to amend the Zoning Map in Block 35: Lots 44, 45 and 46; Block 46: Lots 6 through 11 and Block 47: Lots 6A, 11 through 15, was defeated.

A two-thirds vote being required, the vote was taken by count, one hundred twelve (112) voted in the affirmative and seventy (70) voted in the negative, was so declared by the Moderator, and is so recorded.

A motion by Carl M. Sapers, duly seconded, to amend the Zoning Map in Block 46: Lots 1, 2, 4, 5 and 20 and Block 47: Lots 1, 2, 3, 16 and 17, was defeated.

A two-thirds vote being required, the vote was taken by count, ninety-nine (99) voted in the affirmative and eighty-three (83) voted in the negative, was so declared by the Moderator, and is so recorded.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of the Recessed Annual Town Meeting will be held on Monday, May 12, 1975 at 7:30 P.M. in the High School Auditorium.

At twenty-five minutes past eleven o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting until Monday, May 12, 1975 at half past seven in the evening, at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred seventeen (217) Town Meeting Members had been checked as being present at the meeting.

Our thanks to Karen Smith, Linda Marks and Don Isaacs, Brookline High School students who facilitated the use of the microphones by the Town Meeting Members.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED ANNUAL TOWN MEETING

May 12, 1975

In accordance with the vote passed at the Recessed Annual Town Meeting held on May 8, 1975, the Town Meeting Members met at the High School Auditorium at half past seven in the evening.

No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At eight o'clock, the checkers reported that one hundred forty-one (141) names of Town Meeting Members had been checked, or more than one-half of all members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

**THIRTY-NINTH ARTICLE.** To see if the Town will amend its Zoning By-Law by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or will take any other action with respect thereto:

(I) To delete the text of Section 5.00. now reading:

Where two or more main buildings to be used as family dwellings are proposed to be built upon property in one ownership, or where one or more buildings are proposed upon property where there are one or more existing residential buildings, except as provided in Section 5.04. required front, side, and rear yards shall be provided between each building and assumed lot lines shown upon the building permit application. The Board of Appeals, however, may by special permit, modify the yard dimensions between such buildings designed and intended to remain under the same ownership and management where it is demonstrated that there will result light, air, sunlight, and amenity of a standard no lower than would result from such requirements.

(2) To amend Section 5.03 by deleting the sentence now reading:

The Board of Appeals, however, may by special permit, modify the yard dimensions between such buildings designed and intended to remain under the same ownership and management where it is demonstrated that there will result light, air, sunlight, and amenity of a standard no lower than would result from such requirements.

(3) To amend Section 5.31(b) by deleting the words "the spirit of" and the words beginning with "and will assure the same standard of amenity" and continuing to the end of the sentence, so that said sentence shall read as follows:

In a situation where the interpretation of the requirements of Section 5.30 is not clear as a result of nontypical lot shape, topography, building alignment or configuration, or other characteristic, the Board of Appeals under a special permit after a hearing may establish maximum heights for a building or buildings or for different parts of a building which it deems will fulfill the requirements of Section 5.30.

(4) To delete Section 5.43, now reading:

#### SECTION 5.43 EXCEPTION TO YARD AND SETBACK REGULATION

Under a special permit after a hearing the Board of Appeals may permit, in lieu of the requirements for yards or setbacks specified in this By-law, the substitution of such other dimensional requirements as shall assure the same standard of amenity to nearby properties as would have been provided by compliance with the regulations of the By-law.

(5) To amend Section 5.44, Accessory Underground Structures, by deleting paragraph (c) thereof, now reading:

The Board of Appeals may by special permit modify the requirements of subsections (1), (2), and (3) of paragraph (a) above subject to the provisions of Section 9.5 and by relabelling the existing paragraph (d) as paragraph (c).

(6) To amend Section 6.13, Design of Off-street Parking Facilities, by deleting paragraph (l) thereof, now reading:

Under a special permit after a hearing, the Board of Appeals may permit in lieu of the dimensional requirements of this section, where new parking facilities are being installed to serve structures and land uses in existence or for which building permits had been issued at the date of adoption of this By-law, the substitution of other dimensional requirements provided that such substitution is necessary to permit the installation of some or all of the offstreet parking spaces that would be required for a similar new building.

and by relabelling the existing paragraph (m) as paragraph (l).

No Motion was offered and No Action was taken under Item 1.

On motion of Carl M. Sapers, duly seconded, it was:

*Voted:* To refer items 2, 3, 4, 5 and 6 of Article 39 back to the Planning Board for further study. The Planning Board shall, in cooperation with the interested petitioners of the Article, make specific recommendations on or amendments to sections 5.03, 5.31, 5.43, 5.44 and 6.13 of the Brookline Zoning By-Law and any other sections thereof with regard to limiting the scope of special permit provisions. The Planning Board recommendations will be provided in time for insertion in the first Special Town Meeting occurring after October 1, 1975.

**FORTIETH ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or take any other action with respect thereto:

- (1) To see if the Town will vote to amend the Zoning Bylaw by deleting Section 5.42, Yard and Setback from Open Space, Street or Alley, in its entirety, or take any other action with respect thereto.
- (2) To amend Section 9.1 Provision for Board of Appeals by deleting the existing paragraph and substituting new paragraphs as follows:

There shall be a Board of Appeals under this Bylaw which shall have all of the powers and duties of Boards of Appeals under the statutes relating to zoning.

The Board of Appeals shall consist of three members to be appointed by the Board of Selectmen. All members of the Board shall be residents of the Town, and one member shall be an attorney-at-law licensed to practice in the Commonwealth of Massachusetts.

The Board of Selectmen shall in like manner appoint three associate members who shall be residents of the Town, one of whom shall be an attorney-at-law licensed to practice in the Commonwealth of Massachusetts. Such associate member(s) may sit on the Board of Appeals to the extent and in the manner provided in the statutes relating to zoning.

The existing members and associate members of the Board of Appeals on December 31, 1974 shall serve until their successors are appointed by the Board of Selectmen.

- (3) To amend the Zoning Map by including within a G-2.0 district a portion of Washington Street abutting the property owned by the Combined Insurance Company of America identified in the 1974 Atlas of the Town of Brookline by Block 139, lot 27-43, that portion of the street presently zoned I-1.0 from the lot line to the centerline thereof extended to the present zone line drawn 10' from the westerly sideline of Pearl Street.
- (4) To amend the Zoning Map by including within an M-1.0 district a lot now zoned M-2.5 identified in the 1974 Atlas of the Town of Brookline by Block 215 lot 26 on Fairbanks Street and including the abutting street to the centerline thereof.

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*Voted:* To amend the Zoning Bylaw by adopting the following amendments thereto:

1. To amend the Zoning Bylaw by deleting Section 5.42, Yard and Setback from Open Space, Street or Alley, in its entirety;
3. To amend the Zoning Map by including within a G-2.0 district a portion of Washington Street abutting the property owned by the Combined Insurance Company of America identified in the 1974 Atlas of the Town of Brookline by Block 139, lot 27-43, that portion of the street presently zoned I-1.0 from the lot line to the centerline thereof extended to the present zone line drawn 10' from the westerly side line of Pearl Street.
4. To amend the Zoning Map by including within an M-1.0 district a lot now zoned M-2.5 identified in the 1974 Atlas of the Town of Brookline by Block 215 lot 26 on Fairbanks Street and including the abutting street to the centerline thereof.

On motion duly made and seconded, it was unanimously:

*Voted:* To refer the following items 2(a) and 2(b) to the Planning Board for further study and recommendations. Recommendations to be provided for insertion of Article in the first Special Town Meeting occurring after October 1, 1975.

- 2(a) To amend Section 9.1 Provision for Board of Appeals by deleting the existing paragraph and substituting new paragraphs as follows:

There shall be a Board of Appeals under this Bylaw which shall have all of the powers and duties of Boards of Appeals under the statutes relating to zoning. The Board of Appeals shall consist of three members to be appointed by the Board of Selectmen. All members of the Board shall be residents of the Town, and one member shall be an attorney-at-law licensed to practice in the Commonwealth of Massachusetts.

The Board of Selectmen shall in like manner appoint three associate members who shall be residents of the Town, one of whom shall be an attorney-at-law licensed to practice in the Commonwealth of Massachusetts. Such associate member(s) may sit on the Board of Appeals to the extent and in the manner provided in the statutes relating to zoning.

Each member and associate member of this Board shall be paid such sum for each meeting attended and such reimbursement for expenses incurred as the Selectmen may from time to time vote.

The Town Clerk shall be the Clerk of the Board of Appeals and his compensation for acting as Clerk shall be such as the Selectmen may from time to time vote.

The existing members and associate members of the Board of Appeals on December 31, 1974, shall serve until their successors are appointed by the Board of Selectmen.

- 2(b) To amend Paragraph 127.1 of the Building Code of the Town of Brookline by deleting the last sentence thereof and substituting therefor the following new sentence: "The existing Board shall continue under the Basic Code."

On motion duly made and seconded, it was unanimously:

*Voted:* To reconsider Article 39.

On motion duly made and seconded, it was unanimously:

*Voted:* To insert the date of October 1, 1975 in the vote, instead of October, 1975.

**FORTY-FIRST ARTICLE.** To see if the Town will appropriate the sum of \$5,000 towards the legal expenses incurred by the Dexter Neighborhood Association in the litigation involving the building permit of the Dexter Park apartments.

No Motion offered and No Action was taken under this Article.

**FORTY-SECOND ARTICLE.** To see if the Town will authorize a special commission to study the feasibility of a pedestrian based mall at Coolidge Corner. Said commission shall have total of fifteen (15) members. There shall be three members appointed from Precinct 2, three members appointed from Precinct 8, and three members appointed from Precinct 9. Each of the above members shall be appointed by a caucus of the Town meeting members of said precinct. The Board of Selectmen shall appoint six members to said commission; or will take any other action with respect thereto.

A motion by Howard I. Wilgoren, duly seconded, for the adoption of this Article as printed, with the stipulation that the Commission report back at the next Annual Town Meeting, was defeated.

**FORTY-FOURTH ARTICLE.** We the undersigned residents of the Town of Brookline request Article 98B of the General Laws of the Commonwealth of Massachusetts entitled "Foot Patrol" be placed on the upcoming Town Warrant at the next Town Meeting.

§ 98B. Foot patrol

In every city or town which has a population of forty thousand or more and which accepts the provisions of this section there shall be at all times a minimum of one police officer on foot patrol for every ten thousand inhabitants or major portion thereof.

"On foot patrol", as used in this section, shall mean an assignment to patrol a certain area on foot.

No Motion offered and No Action was taken under this Article.

**FORTY-SEVENTH ARTICLE.** To see if the Town will adopt the following resolutions or will otherwise amend and adopt said resolutions, or will take any other action with respect thereto:

1. Resolved, that the Town of Brookline acting through its Town Meeting finds that President Ford's requested total Military budget for 1975, of \$94,111,000,000 will impede the Town's ability to deal with the problems of continued inflation, increased unemployment, and reductions of incomes. The crises of State and Municipal government in health, education, housing, transportation and social welfare can only be achieved by changing our national priorities, from heavy Military spending, to spending for civilian needs.
2. Resolved, that the Town Meeting appropriate the sum of twenty-five dollars (\$25) and ask that the Board of Selectmen convey the contents of the resolution to the President of the United States, the Vice-President of the United States, Senator Edward M. Kennedy, Senator Edward Brooke, the Speaker of the House of Representatives of the United States and Representative Robert F. Drinan, and take such other action as may be appropriate.

On motion of Benedict S. Alper, duly seconded, and as amended by Bernard Edelstein, duly seconded, it was:

1. Resolved, that the Town of Brookline acting through its Town Meeting finds that President Ford's requested total Military budget for 1975, of \$94,111,000,000 will impede the Town's ability to deal with the problems of continued inflation, increased unemployment, and reductions of incomes. The crises of State and Municipal government in health, education, housing, transportation and social welfare can only be surmounted by changing our national priorities, from heavy Military spending, to spending for civilian needs.
2. Resolved, that the Town Meeting appropriate the sum of twenty-five dollars (\$25) and ask that the Board of Selectmen convey the contents of the resolution to the President of the United States, the Vice-President of the United States, Senator Edward M. Kennedy, Senator Edward Brooke, the Speaker of the House of Representatives of the United States and Representative Robert F. Drinan, and take such other action as may be appropriate.

The above resolve was adopted by a majority vote, was so declared by the Moderator, and is so recorded.

**FORTY-FIFTH ARTICLE.** To see if the Town will approve and file a petition with the General Court, an act providing for the inclusion of May twenty-ninth as a legal holiday in the Commonwealth of Massachusetts in substantially the following form:

**AN ACT ESTABLISHING JOHN FITZGERALD KENNEDY'S BIRTHDAY, MAY TWENTY-NINTH, AS A LEGAL HOLIDAY.**

Section 1. Clause eighteen of Section 7 of Chapter 4 of the General Laws, as most recently amended by Section 1 of Chapter 493 of the Acts of 1974, is further amended by inserting after the words "January the fifteenth", the words: — "May the twenty-ninth".

Section 13. Section 13 of Chapter 136 of the General Laws, as most recently amended by Section 13 of Chapter 493 of the Acts of 1974, is further amended by inserting after the words "January the fifteenth", the words: — "May the twenty-ninth".

A motion by Joan Hertzmark, duly seconded, to have Kennedy's Birthday on the first Monday in May, was defeated.

A motion by Mary J. Harris, duly seconded, moving the Article as written, except when such day falls on Memorial Day, was defeated.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of the Recessed Annual Town Meeting will be held on Tuesday, May 13, 1975 at 7:30 P.M. in the High School Auditorium.

At twenty-two minutes past ten o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting until Tuesday, May 13, 1975 at half past seven in the evening, at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred twenty (220) Town Meeting Members had been checked as being present at the meeting.

Our thanks to Julie Muse, Linda Rosenberg, Carol Ann Rosenberg and David Hackberg, students of Brookline High School, who facilitated the use of the microphones by the Town Meeting Members.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED ANNUAL TOWN MEETING

May 13, 1975

In accordance with the vote passed at the Recessed Annual Town Meeting on May 12, 1975, the Town Meeting Members met at the High School Auditorium at half past seven in the evening.

No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At fifty-five minutes after seven o'clock, the checkers reported that one hundred forty (140) names of Town Meeting Members had been checked, or more than one-half of all members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

**TWENTY-FIRST ARTICLE.** To see if the Town will vote to ratify and confirm the action of the Board of Selectmen in filing Applications and Pre-Applications under the Housing and Community Development Act of 1974, P.L. 93-383, including an Application for Community Development Block Grant, as the same may be amended, copies of which are on file in the office of the Board of Selectmen; and authorize the Board of Selectmen to take such other actions and file such other Applications and Pre-Applications as may be appropriate and necessary to obtain funds under said Act; and appropriate, and authorize the Board of Selectmen to expend funds received or to be received by the Town from the Department of Housing and Urban Development as a result of said Applications, or take any other action with respect thereto.

On motion of Carl M. Sapers, duly seconded by Robert C. Cochrane, Jr., it was:

*Voted:* To ratify and confirm the action of the Board of Selectmen in filing Applications and Pre-Applications under the Housing and Community Development Act of 1974, P.L. 93-383, including an Application for Community Development Block Grant, as the same may be amended, copies of which are on file in the office of the Board of Selectmen; and, subject to the limitations set forth herein, to authorize the Board of Selectmen to take such other actions and file such other Applications and Pre-Applications as may be appropriate and necessary to obtain funds under said Act; and authorize the Board of Selectmen to expend funds received or to be received by the Town from the Department of Housing and Urban Development as a result of said Applications; but nothing herein shall authorize the Selectmen to file Applications or Pre-Applications with respect to obtaining funds under said Act with respect to fiscal year 1976 or any fiscal year thereafter; it being the intent of this vote to authorize the disposition of funds under the Act with respect to funds appropriated by the Congress for fiscal year 1975; it being the further intent of this vote to manifest the Town Meeting's intent to be the governing body in applying for such future funds and determining the disposition thereof to the extent such authority is not delegated hereafter by Town Meeting to the Selectmen, or not otherwise vested in the Selectmen by the Act or any other law; provided that no 1975 Development Act funds shall be expended by the Board of Selectmen for code enforcement in the Central Village area until a loan and/or grant program is established for purposes of assisting, in appropriate cases, the implementation of the correction of code violations found.

**TWENTY-SECOND ARTICLE.** To see if the Town will vote to raise and appropriate, or appropriate from available funds a sum of money to aid the Brookline Redevelopment Authority for defraying such part of the development, acquisition and operating costs of the so-called Marsh Project as will not be met by loans, contributions or grants (other than annual or other contributions and grants in the nature of reimbursement) from the federal government or any other source; to determine whether such appropriation shall be raised by borrowing or otherwise; and to provide that no part of said sum shall be borrowed unless the Selectmen shall first determine that grants or contributions from the federal government will not be received for said purposes prior to the date on which said sums are required by the Brookline Redevelopment Authority; or take any other action relative to the foregoing matters.

On motion of Carl M. Sapers, duly seconded, it was:

*Voted:* To appropriate the sum of four hundred fifty thousand dollars (\$450,000) to aid the Brookline Redevelopment Authority in defraying such part of the development, acquisition and operating costs of the so-called Marsh Project as will not be met by loans, contributions or grants (other than annual or other contributions and grants in the nature of reimbursement) from the federal government or any other source. That the Treasurer be authorized, when so directed by the Board of Selectmen, to borrow the sum of four hundred fifty thousand dollars (\$450,000) for the aforesaid purposes and to issue bonds or notes therefor payable in accordance with Chapter 121 B Section 20 of the General Laws, as amended, so that the whole loan shall be paid in not more than ten (10) years from the date of the issuance of the first bond or note; to the extent that four hundred five thousand dollars (\$405,000) be applied for the completion of the so-called "air rights platform" and no more than forty-five thousand dollars (\$45,000) be advanced from time to time by the town to be utilized in fiscal year 1976 for administrative costs of the BRA operations in connection with the Marsh Project only after and in case that available administrative funds are exhausted; provided that no part of said sum shall be borrowed unless the Board of Selectmen shall first determine that grants or contributions from the federal government will not be received for said purposes prior to the date on which said sums are required by the Brookline Redevelopment Authority; provided further that to the extent the town might receive Development Act monies for the same purpose for which the town has advanced sums hereunder, then such sums received will not be advanced to the BRA but shall be retained by the town as reimbursement.

A two-thirds vote being required, the vote was taken by count, one hundred thirty-four (134) voted in the affirmative, thirty-three (33) voted in the negative and two abstained, Gretchen Mamis and Linda Kohn, was so declared by the Moderator; and is so recorded.

**TWENTY-THIRD ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form, or take any action with respect thereto:

**AN ACT PERMITTING THE BROOKLINE REDEVELOPMENT AUTHORITY TO FINANCE A PORTION OF THE MARSH URBAN RENEWAL PROJECT ON THE BASIS OF THE TAX INCREMENT GENERATED THEREBY.**

**SECTION 1.** In addition to the provisions of any general law or special law authorizing the financing of urban renewal projects, the Brookline Redevelopment Authority or other department or agency of the Town authorized to undertake urban renewal projects pursuant to Chapter 121B of the General Laws is hereby authorized to borrow money for the temporary and permanent financing of the cost of all or any part of the Marsh Urban Renewal Project upon the security of its bonds, notes or other evidences of indebtedness, and renewals thereof and to secure the same by mortgages upon property held or to be held by it, by pledge of its revenue, including without limitation grants or contributions by the federal government, by pledge of tax receipts paid to it by the Town of Brookline pursuant to an agreement made pursuant to Section 2 of this Act, and in connection with the inurrence of any indebtedness to covenant that it shall not, so long as the same shall remain unpaid, further pledge the whole or any specified part of its revenues, or pledge the whole or any specified part of tax receipts paid to it as aforesaid.

**SECTION 2. (a)** The Town of Brookline, by vote at an annual or special town meeting, may authorize financing as provided in subsections (b) and (c) hereof for all or any part of the Marsh Urban Renewal Project, provided that the Chairman of the Agency pursuant to a vote of the Agency has filed with the Town Clerk, no more than 45 nor less than 30 days prior to the first session of said town meeting, a statement as to the availability or non-availability of federal, state, or other funds to do that work; and a schedule of all other tax increment financings for which the Agency is then obligated and the respective amounts and maturity dates thereof. Said authorization shall specify the part or parts of the Marsh Urban Renewal Project to which such financing shall be applicable and shall describe the type or types of development which are to be permitted therein. Thereupon the provisions of subsections (b) and (c) of this section shall apply thereto.

**SECTION 2. (b)** When authorized to do so as provided in subsection (a) of this section, the Board of Selectmen of the Town of Brookline may enter into an agreement with the Agency. Such agreement shall specify the amount, terms and maturities of any bonds, notes or other evidences of indebtedness. Such agreement shall provide that the taxes raised by assessment on the taxable property included in the part or parts of the Marsh Urban Renewal Project authorized for financing as provided herein shall be divided as follows:

(1) That portion of the taxes which would be raised by the rate at which the tax is assessed each year by and for the Town of Brookline upon the total sum of the initial valuation of said taxable property shall be allocated to the Town as taxes by and for said Town; and

(2) Of the taxes raised each year by the rate at which the tax is assessed upon the current valuation of said taxable property as shown upon the assessors' valuation books for each such year, that portion which is in excess of the amount described in clause (1) hereof shall be allocated to and when collected shall be paid into a special fund of the Agency for payment of the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the part or parts of the Marsh Urban Renewal Project so authorized to financing. Unless and until the total valuation of said taxable property for such year exceeds the initial valuation of said property, all of the taxes raised from said property shall be allocated to the Town of Brookline as taxes by and for said municipality. When such loans, advances, and indebtedness, if any, and interest thereon, have been paid in full or provision made for such full payments, all monies thereafter received from taxes upon said taxable property shall be allocated to the Town of Brookline as taxes by and for said municipality and the agreement shall in all respects terminate.

**SECTION 2. (c)** Property which is the subject of an agreement as provided in subsection (b) shall at all times be valued for assessment purposes at its full and fair market value.

**SECTION 3.** For the purposes of this Act, the terms:

(1) "taxes by and for said municipality" shall include all taxes, assessments or other charges raised by the municipality through taxes on property in said municipality for benefit of itself or of other governmental jurisdictions or both;

(2) "initial valuation" shall mean that sum established by town meeting on the advice of the assessor, which shall include the total valuation of the taxable property authorized to be subject to an agreement pursuant to Section 2(b) hereof as shown upon the last assessors' valuation books used in connection with the taxation of such property by the Town prior to the approval of financing under this Act or the acquisition of such property, whichever comes first, plus an amount determined by town meeting to be adequate to produce sufficient tax income to cover the cost of town services on account of such property during the life of the bonds. Such services may include those provided by the fire, police, health, traffic, school, park and recreation, and public works departments, and any others deemed appropriate;

(3) "Marsh Urban Renewal Project" shall mean the Marsh Urban Renewal Project as constituted on January 1, 1975; and

(4) "Agency" shall mean the Brookline Redevelopment Authority or such other department or agency of the Town authorized to undertake urban renewal projects pursuant to Chapter 121B.

A motion by Robert C. Cochrane, Jr., for the adoption of this Article, was defeated.

**TWENTY-FOURTH ARTICLE.** To see if the Town will appropriate a sum of money from funds allocated to Brookline under the Federal Community Development Act (Public Law 93-383, 1974) for fiscal 1975 to pay costs in connection with completion of the so-called "B-2 parcel of the Marsh Urban Renewal Project (Mass. R-37)," or will take any other action with respect thereto.

No Motion was offered and No Action was taken under this Article.

**TWENTY-FIFTH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court for special legislation to direct the Treasurer of the Commonwealth of Massachusetts to pay to the Town of Brookline all reimbursements in arrears for the Farm (U.R. Mass. 15-1) and Marsh (Mass. R-37) urban renewal projects through fiscal 1974 in accordance with the "twenty equal annual installments" provision of Chapter 121B, Section 55 (c) of the General Laws of the Commonwealth of Massachusetts, notwithstanding Section 55 (d) of the same law, or will take any other action with respect thereto.

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To petition and/or approve the filing of a petition to the General Court for special legislation in the following form:

AN ACT PROVIDING FOR PAYMENT TO THE TOWN OF BROOKLINE OF ALL REIMBURSEMENTS IN ARREARS FOR URBAN RENEWAL PROJECTS U.R. MASS. 15-1 AND MASS. R-37.

Be it enacted, etc., as follows:

**SECTION 1.** Notwithstanding Section 55(d) of Chapter 121B of the General Laws, the Treasurer of the Commonwealth of Massachusetts, upon the certification to the Comptroller by the Department of Community Affairs, is hereby directed to pay to the Town of Brookline the sum of \$480,475.25, being the amount due under said statute through fiscal 1974 presently in arrears for the Farm (U.R. Mass. 15-1) and Marsh (Mass. R-37) urban renewal projects in accordance with the "twenty equal installments" provision of Section 55(c) of said Chapter.

**SECTION 2.** Section 55(d) of Chapter 121B of the General Laws is hereby amended by changing "three and one half million dollars" to "\$3,980,475.25" and "seventy million dollars" to "\$70,480,475.25" so that the section reads as follows:

"(d) The total amount of urban renewal assistance grants to be paid under the provisions of this section shall not exceed \$3,980,475.25 in any one fiscal year or a total of \$70,480,475.25 in the aggregate."

**SECTION 3.** This act shall take effect immediately upon its passage.

**TWENTY-SIXTH ARTICLE.** To see if the Town will adopt the following five resolutions or will otherwise amend and adopt said resolutions, or will take any other action with respect thereto:

(1) **RESOLVED**, that a need for continuation of a redevelopment authority as presently structured in Brookline no longer exists.

(2) **RESOLVED**, that the Marsh project housing area is not suitable for family housing of the present design and density.

(3) **RESOLVED**, that the interests of Brookline would best be served by completing the undeveloped portions of the Marsh project with office and commercial uses at moderate density and with public open space.

(4) **RESOLVED**, that completion of the Marsh project, performance of housing and commercial rehabilitation projects, and planning for any future community development should be carried out by a limited, strictly accountable community development agency, coordinated as a department of the Town.

(5) **RESOLVED**, that Town Meeting will welcome submission at the 1976 Annual Town Meeting of proposed legislation to redefine the Marsh project, to terminate the existing Brookline Redevelopment Authority, to create a community development agency coordinated as a town department, to establish housing rehabilitation projects, and to provide for planning of commercial redevelopment or rehabilitation projects.

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* That the Moderator appoint a Committee of such size and composition as he decides (except that no present member or employee of the Brookline Redevelopment Authority shall be appointed to the Committee) to study the Brookline Redevelopment Authority's future as an agency of the Town, including whether the Authority or its staff ought to be dissolved, reconstructed, or otherwise altered, with or without new legislation, and report back its findings and recommendations to the 1975 fall town meeting.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of the Recessed Annual Town Meeting be held on Wednesday, May 14, 1975 at 7:30 P.M. in the High School Auditorium.

At five minutes past eleven o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting until Wednesday, May 14, 1975 at half-past seven in the evening, in the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred twelve (212) Town Meeting Members had been checked as being present at the meeting.

Our thanks to James Walker, Karis McGuinness, Steve Greene and Theresa Murphy, students of Brookline High School, who facilitated the use of the microphones by the Town Meeting Members.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED ANNUAL TOWN MEETING

May 14, 1975

In accordance with the vote passed at the Recessed Annual Town Meeting on May 12, 1975, the Town Meeting Members met at the High School Auditorium at half-past seven in the evening.

No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At forty-minutes after seven o'clock, the checkers reported that one hundred forty-three (143) names of Town Meeting Members had been checked, or more than one-half of all members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

On motion duly made and seconded, it was unanimously:

*Voted:* To adjourn the Recessed Annual Town Meeting until after the Special Town Meeting called for Wednesday, May 14, 1975 at 7:30 P.M. is dissolved.

## SPECIAL TOWN MEETING

May 14, 1975

**FIRST ARTICLE:** To see if the Town will raise and appropriate, or appropriate from available funds, sums of money for the construction, original equipping and furnishing of the new Lincoln School on the so-called Park School site; determine how such funds should be expended, and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the Town therefor, or take any other action with respect thereto.

A motion to amend the main motion by Stanley Shuman, duly seconded, to add \$25,000.00 for two additional staff persons in the Building Department for approximately one year, was defeated.

A motion to amend the main motion by Robert C. Cochrane, Jr., duly seconded, to add \$16,000.00 for two additional staff persons in the Building Department for approximately one year, was defeated.

On motion of Ann M. Wacker, duly seconded, it was:

*Voted:* To appropriate the sum of *Six Million Nine Hundred Forty-One Thousand Dollars (\$6,941,000)* for the construction, original equipping, furnishings, *architect fees, and other related project costs*, of the new Lincoln School and the *limited reconstruction and rehabilitation* of the Kennard House on the existing site for future use as a part of the new Lincoln School, provided, however, that no funds shall be expended unless the Town shall receive approval of the project from the State Board of Education, including a determination that the percentage of construction grant shall be at the rate of sixty-five percent of the approved project cost.

A roll call vote was taken, one hundred sixty-six (166) voted in the affirmative, sixty (60) voted in the negative and two (2) voted present, was so declared by the Moderator, and is so recorded.

On motion of Samuel E. Shaw II, duly seconded it was:

*Voted:* To meet said appropriation for the construction, original equipping, furnishings, *architect fees, and other related project costs*, of the new Lincoln School and the *limited reconstruction and rehabilitation* of the Kennard House on the existing site, the Treasurer be authorized when so directed by the Board of Selectmen to borrow the sum of *Six Million Nine Hundred Forty-One Thousand Dollars (\$6,941,000)* under authority of Chapter 645 of the Acts of 1948, as amended, and to issue at one time, or from time to time, bonds or notes therefor to be paid in not more than twenty years from their dates, provided, however, that no funds shall be expended and no bonds or notes issued unless the Town shall receive approval of the project from the State Board of Education, including a determination that the percentage of construction grant shall be at the rate of sixty-five percent of the approved project cost.

A two-thirds vote being required, the above vote was taken by count, one hundred sixty-six (166) voted in the affirmative, thirty-two (32) voted in the negative and three (3) abstained, was so declared by the Moderator, and is so recorded.

On motion of Samuel E. Shaw II, duly seconded, it was:

*Voted:* That such part of said appropriation as relates to architectural plans and specifications, construction, renovating, remodeling, reconstruction or making extraordinary repairs be expended by the Building Commission with the approval of the Board of Selectmen and such part of the appropriation as relates to equipping and furnishing to be expended by the School Committee, with the approval of the Board of Selectmen.

**SECOND ARTICLE:** To see if the Town will supplement the appropriation heretofore made for final plans and specifications for a new Lincoln School so that such plans and specifications will include a design of a school to accommodate no more than 490 students; and to raise and appropriate, or appropriate from available funds, a sum of money to be expended by the Building Commission with the approval of the Board of Selectmen to accomplish the foregoing, or to take any other action with respect thereto.

No Motion offered and No Action taken under this Article.

**THIRD ARTICLE:** To see if the Town will accept and allow the laying out, relocating and widening of Hedge Road to form a cul-de-sac approximately four hundred thirty-five (435) feet easterly from the intersection of Hedge Road with the southerly sideline of Boylston Street as laid out, relocated and widened by the Selectmen, and as shown on a plan of land entitled "Plan and Profile of the Relocation of a Portion of Hedge Road, by Leo D. Picardi, P.E., Commissioner of Public Works, dated December 23, 1974," both of which are filed in the Town Clerk's office, and to transfer from the School Committee to the Board of Selectmen the care, custody and control of the portion of Lots 1-4 in Block 322 to be used as a public way, such acceptance, allowance, and transfer to become effective only upon approval by the Massachusetts Board of Education of State Aid for the Lincoln School project following appropriation of funds for construction at a 1975 Annual or Special Town Meeting, or take any other action with respect thereto.

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To accept and allow the laying out, relocating and widening of Hedge Road to form a cul-de-sac approximately four hundred thirty-five (435) feet easterly from the intersection of Hedge Road with the southerly sideline of Boylston Street as laid out, relocated and widened by the Selectmen, and as shown in a plan entitled "Plan and Profile of the Relocation of a Portion of Hedge Road, by Leo D. Picardi, P.E., Commissioner of Public Works, dated December 23, 1974," both of which are filed in the Town Clerk's office, and to transfer from the School Committee to the Board of Selectmen the care, custody and control of the portion of Lots 1-4 in Block 322 to be used as a public way; such acceptance, allowance, and transfer to become effective only upon approval by the Massachusetts Board of Education of State Aid for the Lincoln School project following appropriation of funds for construction at a 1975 Annual or Special Town Meeting.

The above vote was taken by count, one hundred fifty (150) voted in the affirmative, four (4) voted in the negative and one (1) abstained, was so declared by the Moderator, and is so recorded.

**FOURTH ARTICLE:** To see if the Town will amend the vote to discontinue Hedge Road as passed under Article 8 of the Special Town Meeting held on Tuesday, November 19, 1974 and adjourned to November 21, 1974 by adding to the vote printed on Page 27 of the pamphlet entitled "Reports of Selectmen and Advisory Committee on the Articles in the Warrant for the Special Town Meeting Tuesday, November 19, 1974" the following, or take any other action with respect thereto:

Said discontinuance shall be subject to easements for the purposes of construction, reconstruction, maintenance and control of an access to the New Lincoln School for the passage of pedestrians and vehicles, and for the purpose of providing access to parking areas incidental to said school and for purposes of parking, and for purposes of construction, reconstruction and from time to time repair of such utilities as, but not limited to, sewers, drains, water mains, gas mains, telephone and electric ducts and lines together with their appurtenances as may be deemed necessary for the proper operation of the said School which easements the Town hereby reserves.

These easements, shown on a plan entitled "Plan of Easement off Kennard Road" by Leo D. Picardi, P.E., Commissioner of Public Works, dated February 4, 1975, on file in the Town Clerk's office, are described as follows:

Beginning at a point on the west sideline of Kennard Road as accepted by the Town October 24, 1895, said point being further described as being 185.56' southerly from Boylston Street;

Thence running southerly by the westerly sideline of Kennard Road for a distance of fifty-seven and eighty-two hundredths (57.82) feet (17.623 meters) to a point that is the intersection of the center line at Hedge Road and the sideline of Kennard Road;

Thence turning and running westerly along the center line of Hedge Road by a curve to the left having a radius of four hundred twenty-seven and four hundredths (427.04) feet (130.162 meters) for a distance of one hundred thirteen and sixty hundredths (113.60) feet (34.625 meters);

Thence turning and running northwesterly for a distance of twenty and no hundredths (20.00) feet (6.096 meters);

Thence turning and running easterly along the sideline of Hedge Road by a curve to the right having a radius of four hundred forty-seven and four hundredths (447.04) feet (136.258 meters) for a distance of eighty-three and forty-nine hundredths (83.49) feet (25.448 meters);

Thence turning and running easterly in a straight line for a distance of nineteen and ninety-one hundredths (19.91) feet (6.069 meters);

Thence turning and running easterly, northeasterly and northerly by a curve to the left having a radius of twenty and no hundredths (20.00) feet (6.096 meters) for a distance of twenty-seven and sixty-six hundredths (27.66) feet (8.431 meters);

Thence turning and running northeasterly for a distance of twenty and six hundredths (20.06) feet (6.114 meters) to the point of beginning.

On motion of Herbert Abrams, duly seconded, it was:

*Voted:* To amend the vote to discontinue Hedge Road as passed under Article 8 of the Special Town Meeting held on Tuesday, November 19, 1974 and adjourned to November 21, 1974 by adding to the vote printed on Page 27 of the pamphlet entitled "Reports of Selectmen and Advisory Committee on the Articles in the Warrant for the Special Town Meeting Tuesday, November 19, 1974" the following:

Said discontinuance shall be subject to easements for the purposes of construction, reconstruction, maintenance and control of an access to the New Lincoln School for the passage of pedestrians and vehicles, and for the purpose of providing access to parking areas incidental to said school and for purposes of parking, and for purposes of construction, reconstruction and from time to time repair of such utilities as, but not limited to, sewers, drains, water mains, gas mains, telephone and electric ducts and lines together with their appurtenances as may be deemed necessary for the proper operation of the said School which easements the Town hereby reserves.

These easements, shown on a plan entitled "Plan of Easement off Kennard Road" by Leo D. Picardi, P.E., Commissioner of Public Works, dated February 4, 1975, on file in the Town Clerk's office, are described as follows:

Beginning at a point on the west sideline of Kennard Road as accepted by the Town October 24, 1895, said point being further described as being 185.56' southerly from Boylston Street;

Thence running southerly by the westerly sideline of Kennard Road for a distance of fifty-seven and eighty-two hundredths (57.82) feet (17.623 meters) to a point that is the intersection of the center line at Hedge Road and the sideline of Kennard Road;

Thence turning and running westerly along the center line of Hedge Road by a curve to the left having a radius of four hundred twenty-seven and four hundredths (427.04) feet (130.162 meters) for a distance of one hundred thirteen and sixty hundredths (113.60) feet (34.625 meters);

Thence turning and running northwesterly for a distance of twenty and no hundredths (20.00) feet (6.096 meters);

Thence turning and running easterly along the sideline of Hedge Road by a curve to the right having a radius of four hundred forty-seven and four hundredths (447.04) feet (136.258 meters) for a distance of eighty-three and forty-nine hundredths (83.49) feet (25.448 meters);

Thence turning and running easterly in a straight line for a distance of nineteen and ninety-one hundredths (19.91) feet (6.069 meters);

Thence turning and running easterly, northeasterly and northerly by a curve to the left having a radius of twenty and no hundredths (20.00) feet (6.096 meters) for a distance of twenty-seven and sixty-six hundredths (27.66) feet (8.431 meters);

Thence turning and running northeasterly for a distance of twenty and six hundredths (20.06) feet (6.114 meters) to the point of beginning.

**FIFTH ARTICLE.** To see if the Town will authorize the Selectmen to acquire from the Commonwealth of Massachusetts by purchase, gift, or otherwise, title to all or any part of the land hereinafter described, designated as Parcel 11 on a plan of land entitled: "The Commonwealth of Massachusetts Plan of Road in the Town of Brookline, Norfolk County

Altered and laid out as a State Highway by the Department of Public Works September 7, 1954. Scale: 40 feet to the inch" by H. G. Gray, Chief Engineer, Layout No. 4189, and recorded in Norfolk County Registry of Deeds on September 17, 1954 in Book 3301, Page 1, Plan Book 190, as Plan Nos. 1233-1238-1954, or an easement or leasehold interest therein, on such terms as the Board of Selectmen may determine, and to raise and appropriate, or appropriate from available funds, a sum of money for the cost of such acquisition. Such land is bounded and described as follows:

NORTHERLY by Boylston Street (Route Nine);  
 EASTERLY by Hedge Road;  
 SOUTHERLY by land now or formerly of Henry P. Crowley;  
 WESTERLY by Warren Street.  
 Containing about thirty-nine thousand nine hundred and twenty square feet of land,  
 or take any other action with respect thereto.

On motion of Herbert Abrams, duly seconded, it was unanimously:

*Voted:* To authorize the Selectmen to acquire from the Commonwealth of Massachusetts by gift or otherwise title to *all or any part* of the land hereinafter described, designated as Parcel 11 on a plan of land entitled: "The Commonwealth of Massachusetts Plan of Road in the Town of Brookline, Norfolk County Altered and laid out as a State Highway by the Department of Public Works September 7, 1954. Scale: 40 feet to the inch" by H. G. Gray, Chief Engineer, Layout No. 4189, and recorded in Norfolk County Registry of Deeds on September 17, 1954 in Book 3301, Page 1, Plan Book 190, as Plan Nos. 1233-1238-1954 on such terms as the Selectmen may determine:

NORTHERLY by Boylston Street (Route Nine);  
 EASTERLY by Hedge Road;  
 SOUTHERLY by land now or formerly of Henry P. Crowley;  
 WESTERLY by Warren Street.  
 Containing about thirty-nine thousand nine hundred and twenty square feet of land.

On motion duly made and seconded, it was unanimously:

*Voted:* To dissolve the Special Town Meeting at 10:45 P.M.

## RECESSED ANNUAL TOWN MEETING

May 14, 1975

A quorum being present, the Moderator reconvened the Recessed Annual Town Meeting at 10:46 P.M.

A motion by Carl M. Sapers, duly seconded, for reconsideration of Article 5, Items 16 and 48, was unanimously voted.

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To change the Revenue Sharing Trust Fund transfer under Item 16 from \$425,000.00 to \$575,000.00 and the amount to be raised and appropriated in the tax levy to \$2,902,993.00.

On motion of Carl M. Sapers, duly seconded, it was unanimously:

*Voted:* To decrease the amount of Interest on Funded Debt under Item 48 to \$1,165,804.00, a reduction of \$29,000.00.

**FIFTIETH ARTICLE.** To appropriate and raise by borrowing or to appropriate from other available funds, such sums of money as may be necessary for all or any of the purposes mentioned in the foregoing articles.

On motion duly made and seconded, it was unanimously:

*Voted:* To raise and appropriate the sum of two thousand seven hundred twenty dollars (\$2,720.00) to provide for the adjustment in the salaries of the Town Clerk and the Town Treasurer and Collector voted by Town Meeting under Article 5. The amount of one thousand three hundred fifty dollars (\$1,350.00) be allocated to the appropriation of the Town Clerk and one thousand three hundred seventy dollars (\$1,370.00) be allocated to the appropriation of the Treasurer and Collector.

**TWELFTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money for a planning feasibility study to explore the construction, reconstruction and/or additions to the Driscoll School, in accordance with Article XV-A, Section 2-B of the Town Bylaws, or take any other action with respect thereto.

On motion of Ann M. Wacker, duly seconded, it was:

*Voted:* To raise and appropriate the sum of twenty-five thousand dollars (\$25,000) for an enrollment projection and planning feasibility study of the Driscoll School by and in accordance with Section 2-B of Article XV-A of the Town Bylaws, such sum to be expended by the Building Commission with the approval of the Selectmen.

The above vote was taken by count, one hundred twenty-four (124) voted in the affirmative and sixty-one (61) voted in the negative, was so declared by the Moderator, and is so recorded.

**FORTY-NINTH ARTICLE.** To see if the Town will authorize taking a sum of money voted for the appropriations heretofore made at this meeting and not voted to be borrowed, from any available funds in the treasury, and will authorize the Assessors to use free cash in the treasury in any available funds to that amount in the determination of the tax rate for the fiscal year July 1, 1975-June 30, 1976.

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*Voted:* That the sum of \$1,000,000.00 be transferred from the Surplus Revenue for the purpose of reducing the tax rate for the fiscal year July 1, 1975 to June 30, 1976.

Our thanks to Gary Kayakachoian and Lorenzo Berit, students from Brookline High School, who facilitated the use of the microphones by the Town Meeting Members.

At fifty minutes after eleven o'clock on motion duly made and seconded, it was unanimously:

*Voted:* That the Annual Town Meeting be now dissolved.

At the close of the meeting the checkers reported the names of the two hundred thirty-four (234) Town Meeting Members had been checked as being present at the meeting.

Dissolved:

Thomas F. Larkin  
Town Clerk

# WARRANT

## The Commonwealth of Massachusetts

**Norfolk, ss.**

**To any Constable of the Town of Brookline,  
Greetings,**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on

**TUESDAY, the Twenty-Third  
Day of September, 1975**

at seven-thirty o'clock in the evening for the following purposes, to wit:

**FIRST ARTICLE.** To see if the Town will amend Article I-B of the Bylaws of the Town by changing any of the existing salaries in the Pay Plan or by amending the General Provisions with respect to sick leave and the like; or otherwise amend said Pay Plan, or take any other action with respect thereto.

**SECOND ARTICLE.** To see if the Town will transfer from Surplus Revenue a sum or sums of money to fund the cost of amendments to the Pay Plan voted under the First Article and to fund the cost items of Labor Agreements between the Town and Local 1358, American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), the Brookline Recreation Employees Association and the Brookline Engineering Division Associates for the period July 1, 1975 through June 30, 1976, or take any other action with respect thereto.

**THIRD ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form, or take any other action with respect thereto:

**AN ACT AUTHORIZING THE BROOKLINE TOWN MEETING TO DESIGNATE THE BOARD OF SELECTMEN AS EMPLOYER OF SCHOOL DEPARTMENT NONPROFESSIONAL EMPLOYEES FOR PURPOSES OF COLLECTIVE BARGAINING.**

Notwithstanding any bylaw of the Town of Brookline or any general or special law to the contrary, said Town, by vote of the Town Meeting, may designate the Board of Selectmen as employer of School Department nonprofessional employees for purposes of collective bargaining as provided in General Laws, Chapter 150E. Any designation made hereunder may be revoked by vote of a subsequent Town Meeting.

**FOURTH ARTICLE.** To see if the Town, in accordance with Section 64 of Chapter 44 of the General Laws, will authorize payment of the following unpaid bills of previous years in the amounts indicated below and which may be legally unenforceable due to the insufficiency of the appropriation therefor:

Department of Veterans' Services	
Allston Nursing Home	\$ 671.48
Alpine Manor	31.60
Bigelow Nursing Home	619.22
Braintree Manor Nursing Home	131.52
Briarwood Nursing Home	414.50
Brookline Nursing Home	1,591.02
Charles House Convalescent Home	486.54
Chetwynde Nursing Home	610.50

Circle Manor Nursing Home	\$736.21
City View Nursing Home, Inc.	1,547.37
Corey Hill Nursing Home, Inc.	414.20
Don Orione, Home	415.70
Gardner Pierce House	250.30
Henderson Houses of America, Inc.	288.40
Hillside Avenue Nursing Home	553.80
Hilltop Manor Nursing Home	923.60
Huntington Nursing Home	363.20
Marian Manor	572.62
North Shore Convalescent Home	551.90
Park Marion Nursing Home	2,809.10
Presidential Convalescent Center	1,354.25
V.F.W. Parkway Nursing Home	306.90
Arthur W. Allen, O.D.	55.00
Harry Bass, M.D.	86.00
Marcus W. Berman, M.D.	16.80
Brookline Visiting Nurse Service	56.00
Dr. Edmund J. Callahan, M.D.	28.50
Dr. Joseph B. Carabbio	7.00
Chelsea Podiatry Associates	14.00
Dr. Saul M. Coleman	7.00
Dr. Joseph D. Comalli	65.05
Dr. Robert J. Donovan	38.80
Dr. E. Albert Glickman	25.00
Melvin Goldsmith, D.P.M.	21.00
Arthur J. Gorney, M.D.	47.00
Daniel J. Holland, D.M.D.	86.00
Intercommunity Homemaker Service	309.40
Joslin Clinic	17.00
Herbert H. Leventhal, M.D.	4.00
Anthony M. Maiella, M.D.	7.00
Peter F. Marciano, D.P.M.	14.00
Julius Y. Miller, M.D.	46.00
Dr. Charles L. McDevitt	7.00
John F. O'Neil, Optometrist	50.55
I. Ostroff, D.P.M.	7.00
Jason B. Roche, M.D.	10.00
Irving Romanow, D.D.S.	30.00
Dr. Robert F. Tilley	10.00
Dr. K. George Tomajan	174.00
Beth Israel Hospital	7.50
Boston Hospital for Women	1,356.08
Cushing Hospital	3,880.98
Hebrew Rehabilitation Center for Aged	6,356.99
Huntington General Hospital	3,787.94
New England Deaconess Hospital	1,296.96
New England Medical Center	196.00
Parker Hill Medical Center	2,113.14
St. Elizabeth's Hospital	43.70
Beacon Medical Laboratory, Inc.	12.80
Brigham Anesthesia Associates	96.00
Furnace Brook Medical Laboratory, Inc.	12.60
Mass. Bay Transportation Authority	478.24
Medicab of Massachusetts Bay, Inc.	672.00
Red Cab Co., Inc.	20.00
Tufts Dental Clinic	253.50
Arrigo Brothers Pharmacy	20.15
Beaconsfield Pharmacy	26.45
Byron Drug, Inc.	64.20
Charles River Pharmacy	44.00
Dunnington's Apothecaries	67.30
Hailer Drug Co.	7.20
Hirshon Pharmacy, Inc.	19.60
Hospital Pharmacy, Inc.	6.45
Insta-Med Systems, Inc.	100.70
Karas Pharmacy	218.15
Medi-Shack of Brookline	6.35
Morgan's Pharmacy	71.10
Needham Apothecary	31.20
Park Pharmacy, Inc.	179.80
Pelham Drug Corp.	87.80
Stoller's Pharmacy	83.50
Torrey Pharmacy, Inc.	55.15
Towne Drug Co., Inc.	71.75
Walnut Drugs	22.30
H.L. Wardle Drug Co.	41.70
Winthrop Pharmacy, Inc.	54.65
	\$38,746.96

and will transfer from Surplus Revenue the sum of One Hundred Twenty Thousand Eight Hundred Two and 44/100 Dollars (\$120,802.44) to pay for the same, or take any other action with respect thereto.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid this eighth day of September in the year of our Lord one thousand nine hundred and seventy-five.

Robert C. Cochrane, Jr.  
 Herbert Abrams  
 Eleanor Myerson  
 Edward Novakoff  
 Judah M. Stone  
 Board of Selectmen

### OFFICER'S RETURN

Norfolk, ss.

Brookline, September 13, 1975

By virtue of this Warrant, I this day notified and warned the Inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 7:30 P.M., Tuesday, September 23, 1975, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of September 11, 1975, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

James V. Esposito  
 Constable

I hereby certify that at least seven days before the time of said meeting I notified the Town Meeting Members of the meeting, by letter and copies of the Warrant mailed on September 12, 1975, also copies of the Reports of the Selectmen and Advisory Committee mailed on September 15, 1975.

Attest:  
 Thomas F. Larkin  
 Town Clerk

### TOWN OF BROOKLINE

Massachusetts

September 12, 1975

To Town Meeting Members:

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held on Tuesday, September 23, 1975 at 7:30 P.M.

The meeting will be held in the Brookline High School Auditorium.

Very truly yours,  
 Thomas F. Larkin  
 Town Clerk

## INDEX

Art. No.	Subject
1	Classification and Pay Plans (Salary Grade Plan) Article 1-B of the Town Bylaws, Amendment (implementation of collective bargaining agreements)
2	Collective Bargaining Agreements July 1, 1975 - June 30, 1976, funding of cost items. (\$583,687)
3	Legislation — (An Act Authorizing the Brookline Town Meeting to Designate the Board of Selectmen as Employer of School Department Nonprofessional Employees for Purposes of Collective Bargaining)
4	Unpaid bills of prior years payment of (\$120,802.44)

## SPECIAL TOWN MEETING

September 23, 1975

Pursuant to the Warrant of the Selectmen, served according to law upon the inhabitants of the Town of Brookline by a Constable of said Town, and written notices sent by the Town Clerk at least seven days before the day of the meeting to the Town Meeting Members qualified to act in Town Meetings in Brookline under the provisions of Chapter 43A of the General Laws, as amended, accepted by the Town of Brookline March 10, 1942, the Town Meeting Members, so qualified, met at the High School Auditorium in said Town on Tuesday, September 23, 1975 at half past seven in the evening.

Lists of duly qualified Town Meeting Members were used at the entrances to the meeting place and were in charge of Joseph F. Egan, Richard Boffa, J. Paul Nyhan, Vinson T. Rasta and Richard J. Nyhan, checkers, who were sworn to the faithful performance of their duties by the Town Clerk. The list contained the names of two hundred fifty-nine (259) Town Meeting Members qualified to participate in and vote in Town Meetings in Brookline.

No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At forty-five minutes past seven o'clock the checkers reported that one hundred forty-three (143) names of Town Meeting Members had been checked, or more than one half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

The Moderator appointed the following members as Tellers: Mary M. Joyce, Gerald S. Parker, J. Robert Morse, James M. Berenson, George V. Brown, Jr., and Maurice Davis. They were sworn to the faithful performance of their duties by the Town Clerk.

All Town Meeting Members had been previously sworn to the faithful performance of their duties.

Mr. Wyner explained the legal aspects of Articles one and two and informed the meeting that both Articles would be considered together but the vote under Article two would be considered first.

A motion by Shepard A. Spunt, duly seconded, for separate votes under Longevity and Sick Leave, was defeated.

A motion by John E. Murphy, duly seconded, to have the Moderator appoint a Committee of up to fifteen members to study the whole procedure of collective bargaining, was defeated.

**SECOND ARTICLE.** To see if the Town will transfer from Surplus Revenue a sum or sums of money to fund the cost of amendments to the Pay Plan voted under the First Article and to fund the cost items of Labor Agreements between the Town and Local 1358, American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), the Brookline Recreation Employees Association and the Brookline Engineering Division Associates for the period July 1, 1975 through June 30, 1976, or take any other action with respect thereto.

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To transfer from Surplus Revenue the sum of Five Hundred Thirty-Two Thousand Six Hundred Eighty-Seven Dollars (\$532,687) to be expended for salary increases for the period July 7, 1975 through June 30, 1976 for employees of the Town other than those in bargaining units represented by Local 950, International Association of Firefighters, AFL-CIO, the Brookline Police Association and the Staff Association of the Public Library of Brookline.

*Voted:* To transfer from Surplus Revenue the sum of Fifty Thousand Dollars (\$50,000) to be expended for longevity pay in accordance with current collective bargaining agreements and the Classification and Salary Grade Plans.

*Voted:* To transfer from Surplus Revenue the sum of One Thousand Dollars (\$1,000) to be expended for night differential pay in accordance with current collective bargaining agreements.

**FIRST ARTICLE.** To see if the Town will amend Article I-B of the Bylaws of the Town by changing any of the existing salaries in the Pay Plan or by amending the General Provisions with respect to sick leave and the like; or otherwise amend said Pay Plan, or take any other action with respect thereto.

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*Voted:* To amend the Classification and Pay Plans as follows:

1. That the maximum and flat rate wages and salaries of all employees in the General Classifications and the Labor Classifications and the Engineering Classifications of the Salary Grade Plan and employees in the classification of Parking Control Officer, be increased, effective July 7, 1975, 8% above the rates effective July 1, 1974.
2. That the new salary and wage minimums be established four equal steps below the new maximums for each grade.
3. That, except for the classifications of Asst. Recreation Leader (P.T.), Scorers and Umpires, comparable adjustments be made in the pay rates for positions which are in the Salary Plan but are not included in grading.

*Voted:* To amend the "Miscellaneous Regulations Affecting Salaries of the Salary Grade Plan" by deleting the section entitled Longevity and by substituting the following therefor:

#### Longevity

Full-time employees, other than those included in any collective bargaining unit, with ten to fifteen years of continuous service as of July 1st shall be paid \$300.00 additional annual pay. Employees with fifteen to twenty years of continuous service as of July 1st shall be paid \$400.00 additional annual pay. Employees with twenty or more years of continuous service as of July 1st shall be paid \$500.00 additional annual pay.

*Voted:* To amend the "Sick Leave Provisions of the General Provisions of the Pay Plan" by deleting sections 2, 4, 5 and 13 and by substituting the following therefor:

## 2. Permanent Employees

All permanent employees of the Town shall be entitled to sick leave, with the exceptions noted below, at the rate of fifteen working days per calendar year credited on January 1 of each calendar year starting on January 1 of the year following employment and to accumulate such days without limit.

## 4. Permanent-Recurrent Employees

A "Permanent-Recurrent" employee with continuous service of six months or more in each of three successive calendar years shall be entitled to sick leave amounting to 1 and  $\frac{1}{4}$  days for each month of continuous service in each year, cumulative during a period of six years.

## 5. New Employees

All new permanent employees shall be credited with one and one quarter days of sick leave on the 1st day of the calendar month following employment and will accumulate thereafter one and one quarter days for each full calendar month worked during the first calendar year of their employment.

## 13. Termination of Service

Upon termination of service, employees shall not be entitled to compensation in lieu of any accumulated sick leave nor shall accumulated sick leave be taken immediately prior to retirement unless properly chargeable to sick leave under these rules and regulations, except that employees or their estates shall be paid on retirement or death an amount equal to  $\frac{1}{4}$  of the value of their unused accumulated sick leave, but in no case more than \$1,000.

*Voted:* To amend the Classification and Pay Plans by deleting the first paragraph of the section entitled "Night Differential-Certain Classifications of the Miscellaneous Regulations Affecting Salaries of the Salary Grade Plan" and by substituting the following therefor:

A night differential of \$2.00 per night shall be payable to all employees who regularly work night shifts, as approved by the Personnel Board, as part of their regularly scheduled workweek unless otherwise provided in applicable collective bargaining agreements. Such differential is not payable to employees who regularly work day shifts when assigned to work night shifts on an overtime basis. The night differential is not to be included in the computation of any overtime payments.

**THIRD ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form, or take any other action with respect thereto:

AN ACT AUTHORIZING THE BROOKLINE TOWN MEETING TO DESIGNATE THE BOARD OF SELECTMEN AS EMPLOYER OF SCHOOL DEPARTMENT NONPROFESSIONAL EMPLOYEES FOR PURPOSES OF COLLECTIVE BARGAINING.

Notwithstanding any bylaw of the Town of Brookline or any general or special law to the contrary, said Town, by vote of the Town Meeting, may designate the Board of Selectmen as employer of School Department nonprofessional employees for purposes of collective bargaining as provided in General Laws, Chapter 150E. Any designation made hereunder may be revoked by vote of a subsequent Town Meeting.

No Motion offered and No Action was taken under this Article.

**FOURTH ARTICLE.** To see if the Town, in accordance with Section 64 of Chapter 44 of the General Laws, will authorize payment of the following unpaid bills of previous years in the amounts indicated below and which may be legally unenforceable due to the insufficiency of the appropriation therefor:

## Department of Veterans' Services

Allston Nursing Home	\$ 671.48
Alpine Manor	31.60
Bigelow Nursing Home	619.22
Braintree Manor Nursing Home	131.52
Briarwood Nursing Home	414.50
Brookline Nursing Home	1,591.02
Charles House Convalescent Home	486.54
Chetwynde Nursing Home	610.50
Circle Manor Nursing Home	736.21
City View Nursing Home, Inc.	1,547.37
Corey Hill Nursing Home, Inc.	414.20
Don Orione Home	415.70
Gardner Pierce House	250.30
Henderson Houses of America, Inc.	288.40
Hillside Avenue Nursing Home	553.80
Hilltop Manor Nursing Home	923.60
Huntington Nursing Home	363.20
Marian Manor	572.62
North Shore Convalescent Home	551.90
Park Marion Nursing Home	2,809.10
Presidential Convalescent Center	1,354.25
V.F.W. Parkway Nursing Home	306.90
Arthur W. Allen, O.D.	55.00
Harry Bass, M.D.	86.00
Marcus W. Berman, M.D.	16.80
Brookline Visiting Nurse Service	56.00
Dr. Edmund J. Callahan, M.D.	28.50
Dr. Joseph B. Carrabio	7.00
Chelsea Podiatry Associates	14.00
Dr. Saul M. Coleman	7.00
Dr. Joseph D. Comalli	65.05
Dr. Robert J. Donovan	38.80
Dr. E. Albert Glickman	25.00
Melvin Goldsmith, D.P.M.	21.00
Arthur J. Gorney, M.D.	47.00
Daniel J. Holland, D.M.D.	86.00
Intercommunity Homemaker Service	309.40
Joslin Clinic	17.00
Herbert H. Leventhal, M.D.	4.00
Anthony M. Maiella, M.D.	7.00
Peter F. Marciano, D.P.M.	14.00
Julius Y. Miller, M.D.	46.00
Dr. Charles L. McDevitt	7.00
John F. O'Neil, Optometrist	50.55
I. Ostroff, D.P.M.	7.00
Jason B. Roche, M.D.	10.00
Irving Romanow, D.D.S.	30.00
Dr. Robert F. Tilley	10.00
Dr. K. George Tomajan	174.00
Beth Israel Hospital	7.50
Boston Hospital for Women	1,356.08
Cushing Hospital	3,880.98
Hebrew Rehabilitation Center for Aged	6,356.99
Huntington General Hospital	3,787.94
New England Deaconess Hospital	1,296.96
New England Medical Center	196.00
Parker Hill Medical Center	2,113.14
St. Elizabeth's Hospital	43.70
Beacon Medical Laboratory, Inc.	12.80
Brigham Anesthesia Associates	96.00
Furnace Brook Medical Laboratory, Inc.	12.60
Mass. Bay Transportation Authority	478.24
Medicab of Massachusetts Bay, Inc.	672.00
Red Cab Co., Inc.	20.00
Tufts Dental Clinic	\$253.50
Arrigo Brothers Pharmacy	20.15
Beaconsfield Pharmacy	26.45
Byron Drug, Inc.	64.20
Charles River Pharmacy	44.00
Dunnington's Apothecaries	67.30
Hailer Drug Co.	7.20
Hirshon Pharmacy, Inc.	19.60
Hospital Pharmacy, Inc.	6.45
Insta-Med Systems, Inc.	100.70
Karas Pharmacy	218.15

Medi-Shack of Brookline	6.35
Morgan's Pharmacy	71.10
Needham Apothecary	31.20
Park Pharmacy, Inc.	179.80
Pelham Drug Corp.	87.80
Stoller's Pharmacy	83.50
Torrey Pharmacy, Inc.	55.15
Towne Drug Co., Inc.	71.75
Walnut Drugs	22.30
H.L. Wardle Drug Co.	41.70
Winthrop Pharmacy, Inc.	54.65
	<hr/>
	\$38,746.96

#### Group Insurance

Massachusetts Hospital Service	82,055.48
	<hr/>
	\$120,802.44

and will transfer from Surplus Revenue the sum of One Hundred Twenty Thousand Eight Hundred Two and 44/100 (\$120,802.44) to pay for the same, or take any other action with respect thereto.

On motion of Kenneth M. Nelson, duly seconded, it was unanimously:

*Voted:* To authorize payment, in accordance with Section 64 of Chapter 44 of the General Laws, of the following unpaid bills of previous years, in the amounts indicated below, and which may be legally unenforceable due to the insufficiency of the appropriation therefor:

#### Department of Veterans' Services

Allston Nursing Home	\$ 671.48
Alpine Manor	31.60
Bigelow Nursing Home	619.22
Braintree Manor Nursing Home	131.52
Briarwood Nursing Home	414.50
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Chelsea Podiatry Associates	14.00
Dr. Saul M. Coleman	7.00
Dr. Joseph D. Comalli	65.05
Dr. Robert J. Donovan	38.80
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Peter F. Marciano, D.P.M.	14.00
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Winthrop Pharmacy, Inc.	54.65
	<hr/>
	\$38,746.96

#### Group Insurance

Massachusetts Hospital Service	82,055.48
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	\$120,802.44

and to transfer from Surplus Revenue the sum of One Hundred Twenty Thousand Eight Hundred Two and 44/100 Dollars (\$120,802.44) to pay for the same.

A nine-tenths vote being required the above vote was passed unanimously, was so declared by the Moderator, and is so recorded.

At twenty-five minutes after nine o'clock on motion duly made and seconded, it was unanimously:

*Voted:* That the Special Town Meeting be now dissolved.

At the close of the meeting the checkers reported the names of two hundred seven (207) Town Meeting Members had been recorded as present at this meeting.

Dissolved:

Thomas F. Larkin  
Town Clerk

# WARRANT

## The Commonwealth of Massachusetts

**Norfolk, ss.**

**To any Constable of the Town of Brookline.**

**Greetings:**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on

**TUESDAY, the Eighteenth Day  
of November, 1975**

at seven-thirty o'clock in the evening for the following purposes, to wit:

**FIRST ARTICLE.** To see if the Town will amend the Zoning Map by changing to SC-7 an area in the vicinity of St. Paul, Francis, Toxteth Streets and Aspinwall Avenue, consisting of those parts now zoned T-5 of land designated in the 1975 Atlas of the Town of Brookline on Plate 28 and described as follows:

Block 131: all lots;

Block 132: Lots 1, 2, 9, 10, 11, 12, 12A, 13, 14, 15-16, 17, 20, 21, 22, 23, 24 and 25; and abutting streets to the centerline thereof.

**SECOND ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendment thereto or will otherwise amend and adopt said proposed amendment, or will take any other action with respect thereto:

To amend the zoning map by changing to L-1.0 any or all of the district presently zoned G-2.0 in the vicinity of Brookline Village fronting on Harvard Street, Washington Street, Station Street, Andem Place, Kent Street, Davis Avenue, Davis Court, Webster Place, and White Place but excluding the parcel now occupied by the Hearthstone Plaza.

**THIRD ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or will take any other action with respect thereto:

1. To amend the Zoning Map by including within a G-1.0 district an area in the vicinity of Kent, Webster and Linden Streets consisting of those parcels now zoned G-2.0 and designated in the 1975 Atlas of the Town of Brookline on Plate 30 as follows:

Block 140A: lot 1

Block 141: lot 21A and lots 22 through 30; and abutting streets to the centerline thereof.

2. To amend the Zoning Map by including within a G-1.0 district an area in the vicinity of Washington, Harvard, Thayer and School Streets and Thayer Place, Goodwin Place and Homer Street, consisting of those parcels now zoned G-2.0 and designated in the 1975 Atlas of the Town of Brookline on plates 36 and 31 as follows:

Block 172: all lots;

Block 174: all lots;

Block 177: lots 1-8, 46, 47-49;

Block 154: lot 5; and abutting streets, ways and paths to the centerline thereof.

**FOURTH ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendment thereto or will otherwise amend and adopt said proposed amendment, or will take any other action with respect thereto:

To see if the Town will vote to amend Section 5.31(c) of the Zoning By-law, Exception to Maximum Height Regulations by inserting the phrase "or any public park, playground, or conservation land in any district" after the phrase "from any land not within a public way in an S, SC, or T District", and in 5.31(c) (1) inserting the phrase "or any public park, playground, or conservation land in any district" after the phrase "S, SC, or T District".

**FIFTH ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or take any other action with respect thereto:

1. To amend Section 5.03 by deleting the last sentence.
2. To amend Section 5.31(b) by deleting the words "the spirit of" and ending the sentence after "section 5.30".
3. To delete Section 5.43.
4. To amend Section 5.44, Accessory Underground Structures, by deleting paragraph (c) thereof and by relabelling the existing paragraph (d) as paragraph (c)
5. To amend Section 6.13, Design of Off-street Parking Facilities, by deleting paragraph (1) thereof and by relabelling the existing paragraph (m) as paragraph (1).

**SIXTH ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or will take any other action with respect thereto:

1. To amend Article 2 Definitions by re-numbering Section 2.0 to read "2.01-A", Section 2.03 to read "2.03-A", and Section 2.03-A to read "2.03-B", and by adding a new section after Section 2.01-A:

#### SECTION 2.01-B AMENITY

A condition or facility that provides a favorable level of physical or material comfort or of sensory or psychological pleasure, including but not limited to desirable exposure to sunlight or shade; protection from adverse microclimate or contribution to favorable microclimate; facilitation of pleasant views of sky, distant or nearby cityscape or landscape, foliage or plant materials, handsome architecture or works of art; provision or preservation of unusual natural or manmade assets such as specimen trees or historic structures; provision of special comforts or conveniences such as benches.

2. To amend Section 2.27 Open Space, Landscaped, by substituting "30 per cent" for "50 per cent" in the last sentence.
3. To amend Section 3.2(d) Boundaries of Districts, by adding at the end a new sentence: When two districts with different use designations are involved, the "less restricted part of the lot" shall be that part subject to less restricted use regulations.
4. To amend Section 4.30 Principal Use No. 5 by substituting "six such units" for "eight such units" in the fourth line.
5. To amend Section 5.00 Table of Dimensional Requirements column of Lot Size Minimum by substituting "3,000" in place of "2,500" for 1-family attached dwellings in T-6 Districts and by substituting "2,500" in place of "2,250" for 1-family attached dwellings in T-5 districts.
6. To amend Section 5.09(b) Application of Environmental Impact and Design Review by adding a comma after "Building Code" and inserting the phrase "except window signs subject to the provisions of Section 7.3(a) (8)."
7. To amend Section 5.43 Exceptions to Yard and Setback Regulations by changing the period to a comma and adding:  
as measured by off-setting a reduction in the depth or area of a required yard or setback by an increase in the depth or area of another yard or setback or by the provision or preservation of a condition or a facility not otherwise required that will counterbalance such a reduction; provided, however, that under this section the Board of Appeals shall not reduce the depth of a required front yard below 15 feet in M Districts.

8. To delete the entire Section 5.44 Accessory Underground Structures and substitute:

**SECTION 5.44 ACCESSORY UNDERGROUND STRUCTURES**

(a) Any accessory structure or any part of a main structure or building which is located entirely beneath the surface of the ground at the natural grade level may extend into a required yard, except that in any Residence District and in any other situation where Landscaped Open Space is required, no underground structure or building shall be located beneath more than fifty per cent of the required Landscaped Open Space nor nearer than ten feet to any lot line.

(b) Any part of a required side or rear yard may be occupied by an accessory underground garage structure or part of a main building for accessory garage use which is not located entirely beneath the surface of the ground at the natural grade level provided:

(1) The height of any such structure shall not exceed at any point along its wall or walls the grade of the natural ground contiguous to the structure by more than three feet.

(2) There shall be no fence or parapet higher than six feet above such grade of natural ground.

(3) In any situation where Landscaped Open Space is required, such structure shall not be located beneath more than fifty per cent of the required Landscaped Open Space.

(4) Such structure shall be set back at least five feet from any lot line, and in any Residence District and in any other situation where Landscaped Open Space is required shall be set back at least ten feet.

(c) The Board of Appeals may by special permit authorize such an accessory underground garage structure or part of a main building which is not located entirely beneath the surface of the ground at the natural grade level within a required front yard provided:

(1) The structure shall meet all the conditions of paragraph (b) of this section.

(2) There shall be no parking on the roof of such structure.

(3) No parked vehicles shall be seen from the street.

(d) The Board of Appeals may by special permit modify the setback requirements in paragraph (a), (b), and (c) above and the height limitations in subsections (1) and (2) of paragraph (b) above subject to the provisions of 9.5, and provided that such modification is counterbalanced by appropriate landscaping and screening to assure the same standard of amenity to nearby properties as would have been provided by compliance with the regulations of the By-law.

9. To add a new SECTION 5.48 ATTACHED ONE-FAMILY DWELLINGS IN T DISTRICTS.

Where three or more attached one-family dwellings are proposed to be built in T districts, one of the following provisions must be met:

(a) each such dwelling shall have individual frontage on a street in accordance with the provisions of Section 5.14; or

(b) where such dwellings do not have individual frontages on a street, the lot shall have frontage on a street equal to the lot width requirement for each attached dwelling times the number of dwellings and shall have side and rear yards of at least 25 feet.

10. To amend Section 6.13(d) (3) Entrance and Exit Drives by deleting the wording "Director of Traffic and Parking" and inserting the wording "Director of Transportation".

11. To amend Section 6.13(d) (4) (ii) Location of Curb Cuts by deleting the wording after "special permit may" and substituting "modify this requirement after receipt of advisory reports from the Commissioner of Public Works and the Director of Transportation and subject to the provisions of Section 9.5".

12. To amend Section 6.13(1) New Parking Facilities for Existing Uses by changing the period to a comma and adding:

and provided that the provisions of paragraph (f) of this section are met.

## 13. To add a new paragraph (8) to Section 7.3(a) Signs in L.G. and I Districts:

(8) Installation of one or more interior window signs may be permitted by the Building Commissioner: such signs shall not be subject to the provisions of Section 5.09 provided that all of the following conditions are met:

- (i) The aggregate area of all such signs does not exceed one square foot for each foot of building face parallel or substantially parallel to a street lot line, said area shall be part of the maximum area allowed by Section 7.3(a) (3).
- (ii) The aggregate area of all such signs, including temporary signs, does not exceed 30 per cent of the area of such window.
- (iii) sign or signs are non-illuminated.
- (iv) all pre-existing signs and sign supports are removed from the facade and roof, and
- (v) prior to approval, the sign proposal has been submitted to the Planning Director for review and comment based on the sign design guidelines established under the Environmental Impact and Design Review regulations.

## 14. To amend Section 7.5 Nonconformance of Accessory Signs by deleting the phrase "before the adoption of this By-law" in the second line and by deleting the phrase, "after the adoption of this By-law," in the fourth and fifth lines.

**SEVENTH ARTICLE.** To see if the Town will authorize the Board of Selectmen to file preapplications and applications under the Housing and Community Development Act of 1974, P.L. 93-383, as amended, including an application for Community Development Block Grant funds for the general programs to be undertaken in FY-1977 in the amount of \$1,180,000, as the same may be amended; and authorize the Board of Selectmen to take such other actions and file such other preapplications and applications as may be appropriate and necessary to obtain funds for these programs and such other funds for which the Town may be eligible under said Act; and to appropriate, and to authorize the Board of Selectmen to expend, funds received or to be received by the Town from the Department of Housing and Urban Development as a result of said applications, or take any other action with respect thereto.

**EIGHTH ARTICLE.** To see if the Town will determine that there exists in the Town the need for Property Rehabilitation Project pursuant to the provisions of Chapter 121B of the Massachusetts General Laws, and will authorize the Selectmen to execute on behalf of the Town a "cooperation agreement" between the Town and the Brookline Redevelopment Authority providing for the cooperation required by Massachusetts Department of Community Affairs with respect to the rehabilitation plan for the Central Village Property Rehabilitation Project in the Town of Brookline, generally bounded by Francis Street, St. Paul Street, the northeasterly boundary of the former Harvard-Aspinwall renewal area; Harvard Street, Harvard Avenue, the westerly boundary of Pierce Playground, Cypress Street, Boylston Street, Cushing Road, Chestnut Street, and the Boston City Line to the point of beginning; said agreement containing provisions with respect to the Town making funds available for the project activities, coordination of project activities by the Brookline Redevelopment Authority, the construction of public improvements by the Town, such as but not limited to: street widening, sidewalk reconstruction, installation or replacement of underground utilities, and any other form of cooperation, doing any and all other things authorized by law and necessary or convenient to aid and cooperate in the planning, construction or operation of the project; copies of a draft of which agreement are on file in the office of the Selectmen, the Brookline Redevelopment Authority, and the Town Clerk, or take any other action with respect thereto.

**NINTH ARTICLE.** To see if the Town will authorize the transfer of a sum not to exceed Twenty-five Thousand Dollars (\$25,000) from the unencumbered balance in the account entitled "Plans and Specifications-William H. Lincoln Schbol" to a Special Account for a Feasibility Study of building needs of the Lincoln-Sewall School district, or take any other action with respect thereto.

**TENTH ARTICLE.** To see if the Town will transfer from Surplus Revenue a sum of money for studies, plans and specifications for the correction of acoustical and masonry work and other problems of the new Pierce School, or take any other action with respect thereto.

**ELEVENTH ARTICLE.** To see if the Town will transfer from Surplus Revenue the sum of Twenty-Five Thousand Dollars (\$25,000) to be expended by the Assessors, with the approval of the Board of Selectmen, for the reassessment of all real estate and personal property in the Town, or take any other action with respect thereto.

**TWELFTH ARTICLE.** To see if the Town will transfer from Surplus Revenue the sum of Twenty-three Thousand Eight Hundred and Six Dollars (\$23,806) to be expended by the Fire Chief with the approval of the Board of Selectmen, for the development of an emergency medical services system (EMSS) within the Fire Department, or take any other action with respect thereto.

**THIRTEENTH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form:

AN ACT ALLOWING THE TOWN OF BROOKLINE TO REIMBURSE THE DEXTER NEIGHBORHOOD ASSOCIATION IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000) FOR LEGAL FEES.

Section 1. Notwithstanding the provisions of any General or Special Law, or Bylaw, to the contrary, the Town of Brookline shall reimburse the Dexter Neighborhood Association in the amount of five thousand dollars (\$5000) for legal fees that it has incurred in litigation involving the issuance of a building permit for the Dexter Park Apartments.

or take any other action with respect thereto.

**FOURTEENTH ARTICLE.** To see if the Town will authorize the Selectmen to purchase, or take by eminent domain in fee simple interest under Chapter 79 of the General Laws, for playground purposes to provide for an Extended Amory Playground, a certain parcel of land, located on Amory Street, near the Amory Playground which is a portion of Lots 1, 2, and 3 of Block 12 designated in the 1975 Assessors' Atlas of the Town of Brookline, and described as follows:

Beginning at a point, said point being on Amory Street on the boundary of Lots 1, 2, and 3 in Block 12;

Thence running northeasterly along Amory Street for a distance of 165 feet ±;

Thence turning and running southeasterly between Lots 1, 2, and 3 in Block 12, now or formerly owned by St. Dominic's Institute, Inc. and Lot 6 in Block 12 now owned by the Trustees of Boston University for a distance of 175 feet ±;

Thence turning and running southwesterly through Lots 1, 2, and 3 in Block 12 for a distance of 165 feet ±;

Thence turning and running northwesterly through Lots 1, 2, and 3 in Block 12 for a distance of 175 feet ± to the point of beginning. Containing approximately 28,875 square feet more or less; and to authorize the Park and Recreation Commission to enter into agreements with state and federal agencies for financial and other assistance in connection with such program or take any other action with respect thereto.

**FIFTEENTH ARTICLE.** To see if the Town will vote to authorize the Board of Selectmen upon the written request of the Conservation Commission to take the following described land in fee or rights of easement therein by eminent domain under the provisions of Chapter 79 of the General Laws or acquire said land in fee or rights of easement therein by purchase or otherwise, for conservation purposes under Chapter 40, Section 8c of the General Laws; and to raise and appropriate, or appropriate from available funds, a sum of money to pay for the same or to be used for the payment of land damages or other costs and expenses of such acquisition; and to authorize the Conservation Commission to enter into agreements with state and federal agencies for financial and other assistance in connection with such program; or take any other action with respect thereto;

Beginning at a point, said point being at the Northeastern corner of the intersection of Freeman Street, the Freeman Street Extension, and Amory Street;

Thence running northeasterly between Lots 1, 2, and 3 in Block 12 and Amory Street for a distance of 115 ± to a point;

Thence turning and running southeasterly through Lots 1, 2, and 3 in Block 12 for a distance of 591 feet ± to a point;

Thence turning and running southwesterly between Lots 1, 2, and 3 in Block 12 and Lots 4 and 4a in Block 12 for a distance of 135 feet ± to a point;

Thence turning and running northwesterly along Lots 1, 2 and 3 in Block 12 and along the Freeman Street Extension for a distance of 110 feet ± to a point;

Thence turning and running northeasterly along Lots 1, 2, and 3 in Block 12 and along the Freeman Street Extension for a distance of 20 feet ± to a point;

Thence turning and running northwesterly along Lots 1, 2, and 3 in Block 12 and along the Freeman Street Extension for a distance of 482.5 feet ± to the point of beginning; containing approximately 70,165 square feet more or less.

**SIXTEENTH ARTICLE.** To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission the care, custody, management and control, as prescribed in Massachusetts General Laws,

Chapter 40, Section 8C, of a parcel of land situated on the easterly side of Bellingham Road, designated in the 1975 Town of Brookline Assessors' Atlas as Lot 7, Block 369, bounded and described as follows:

Beginning at a point on the easterly side of Bellingham Road, as accepted by the Town May 18, 1930, said point being the southerly terminus of a curve having a radius of one hundred seventy-five and no hundredths (175.00) feet;

Thence running northwesterly by the said curve to the left having a radius of one hundred seventy-five and no hundredths (175.00) feet, for a distance of thirty-one and ninety-three hundredths (31.93) feet to a point on the said easterly side of Bellingham Road;

Thence turning and running northeasterly by a straight line along the division line of land of said Lot 7, Block 369 and Lot 8, Block 369 for a distance of one hundred forty-four and fifty-two hundredths (144.52) feet to a point;

Thence turning and running southeasterly by a straight line along the division line of land of said Lot 7, Block 369 and Lot 6, Block 370 for a distance of eighty-three and eighty-seven hundredths (83.87) feet to a point;

Thence turning and running southeasterly by a straight line along the division line of land of said Lot 7, Block 369 and the said Lot 6, Block 370 for a distance of six and sixteen hundredths (6.16) feet to a point;

Thence turning and running southwesterly by a straight line along the division line of land as said Lot 7, Block 369 and Lot 6, Block 369 for a distance of two hundred seven and thirty-four hundredths (207.34) feet to a point on the said side of Bellingham Road;

Thence turning and running northeasterly by a straight line along the said easterly side of Bellingham Road for a distance of thirty-eight and forty-six hundredths (38.46) feet to the point of beginning, containing twelve thousand two hundred twenty-five (12,225) square feet, more or less, as shown on a plan by Walter A. Devine, Town Engineer, entitled "Land in Brookline" dated June 7, 1946 and as described in Certificate number 27268, Book 137, Page 68, or take any other action with respect thereto.

**SEVENTEENTH ARTICLE.** To see if the Town will amend Article XVIII, Section 26, of the Town Bylaws entitled "Parking and Removing Vehicles in Private Ways," Paragraph (a), by substituting the word "fifteen" for the word "ten" in the last sentence thereof so that said Paragraph (a) shall read as follows:

(a) No person shall leave a vehicle unattended or park any vehicle within 10 ft. of a hydrant in a private way or park or leave unattended for more than five minutes any vehicle within the limits of a private way furnishing means of access to any building, so as to obstruct the free passage or use of any vehicle of fire apparatus or other vehicle used for services required in behalf of the public health or safety in or through such way. A vehicle found within the limits of a private way which does not leave a free and unobstructed way, at least fifteen feet wide, for the passage of such vehicles shall be deemed to obstruct the free passage or use of vehicles in said way.

**EIGHTEENTH ARTICLE.** To see if the Town will amend the Town Bylaw by adding a new Article as follows:

**ARTICLE**  
Prohibiting Consumption of Alcoholic Beverages – Public Ways

1. No person shall drink any alcoholic beverages as defined in Chapter 138, Section 1 of the Massachusetts General Laws while in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, or private land without the consent of the owner or person in control thereof. All alcoholic beverages being used in violation of this ordinance shall be seized and safely held until final adjudication of the charge against the person or persons arrested or summoned before the court, at which time they shall be returned to the person entitled to lawful possession.

2. Whoever violates any provision of this Bylaw shall be liable to a penalty not exceeding fifty dollars (\$50.00) for each offense.

3. Whoever remains in, on, or upon any premises described herein in willful violation of this Bylaw may be arrested without a warrant, in accordance with Chapter 272, Section 59 of the General Laws by an officer authorized to serve criminal process in the place where the offense is committed, if such person is unknown to such officer.

4. The prohibition shall apply in, on or outside of an automobile or other motor vehicle but shall not apply in or upon:

(a) Any private parking lot or private way to which the public has access where prior consent has been obtained from the owner or authorized person in control thereof, and provided further that no disturbance or annoyance is created thereby.

(b) Any public property specified in Section 1 where prior written consent has been issued from the Board of Selectmen in accordance with the provisions of Section 5 and provided that no disturbance or annoyance is created thereby.

5. Permits for the public consumption of alcoholic beverages; procedures; fee

(a) Any person(s) seeking a permit under Section 4(b) shall make an application in writing to the Board of Selectmen. The application shall specify the name and address of the applicant(s), the date, hour and location, number and ages of persons and nature of the function associated with the proposed use.

(b) Prior to the issuance of a permit, the Board of Selectmen shall request and receive the approval or denial of any other municipal board, agency or department which has jurisdiction. Any permit or consent given under Paragraphs (a) through (d) may be revoked by the Board of Selectmen without prior notice, when, with probable cause in the opinion of the Board, a disturbance or other probable nuisance may or shall occur.

(c) In the instance of a group or organization function, one permit may be issued to an officer or duly appointed representative of said group or organization in lieu of individual permits.

(d) The Board of Selectmen shall not be required to issue such permit if, in its opinion, after proper investigation, it appears that a public disturbance or annoyance may be created thereby, or that the public welfare, convenience or necessity will not be subserved thereby.

(e) There shall be a charge imposed of two dollars (\$2.00) for the issuance of such permits thereby to the Town of Brookline through the Board of Selectmen, such permit to be in a form duly determined by the Board of Selectmen.

(f) A permit issued in accordance with the terms of this Section shall be valid only for the date, time, place and individuals or groups set forth in the approved application.

Anyone found guilty of violation of this Bylaw shall be punished by a fine of not more than fifty dollars (\$50.00) for each such violation.

**NINETEENTH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form:

**AN ACT ALLOWING THE TOWN OF BROOKLINE TO DETERMINE THE COMPENSATION OF THE TOWN CLERK AND THE TOWN TREASURER AT TIMES OTHER THAN AT THE ANNUAL TOWN MEETING.**

Section 1. Notwithstanding the provisions of any General or Special Law, or Bylaw, to the contrary, the Town of Brookline may determine the compensation of the Town Clerk and the Town Treasurer at times other than at the Annual Town Meeting.

or take any other action with respect thereto.

**TWENTIETH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form:

**AN ACT ALLOWING THE TOWN OF BROOKLINE TO COMPENSATE AUXILIARY POLICE OFFICERS OF THE BROOKLINE POLICE DEPARTMENT FOR COURT ATTENDANCE IN CRIMINAL CASES.**

Section 1. Notwithstanding the provisions of any General or Special Law, or Bylaw, to the contrary, the Town of Brookline shall compensate all auxiliary police officers of the Brookline Police Department for Court attendance in criminal cases and that said compensation shall be paid in accordance with the provisions of Massachusetts General Laws, Chapter 262, §53C.

or take any other action with respect thereto.

**TWENTY-FIRST ARTICLE.** To hear and act upon the Reports of Town Officers and Committees.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this twentieth day of October, in the year of our Lord one thousand nine hundred and seventy-five.

Robert C. Cochrane, Jr.  
 Herbert Abrams  
 Eleanor Myerson  
 Edward Novakoff  
 Judah M. Stone  
 Board of Selectmen

**OFFICER'S RETURN**

Norfolk, ss.

Brookline

November 3, 1975

By virtue of this Warrant, I this day notified and warned the Inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 7:30 P.M., Tuesday, November 18, 1975, by posting true and attested copies of the within warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of October 30, 1975, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

Tania R. Langerman  
 Constable

I hereby certify that at least seven days before the time of the meeting I notified the Town Meeting Members, by letter mailed on October 23, 1975, copies of the Warrant and Reports of the Selectmen and Advisory Committee mailed on November 7, 1975.

Attest:  
Thomas F. Larkin  
Town Clerk

## TOWN OF BROOKLINE Massachusetts

October 23, 1975

To Town Meeting Members:

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held on November 18, 1975 at 7:30 P.M. The Meeting will be held in the Auditorium of the Brookline High School.

In the event the meeting is not completed on that evening the following dates have been reserved for recessed meetings:

Thursday, November 20, 1975  
Monday, November 24, 1975  
Tuesday, November 25, 1975  
Tuesday, December 2, 1975  
Thursday, December 4, 1975

Very truly yours,  
Thomas F. Larkin  
Town Clerk

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2.	Zoning Bylaw Amendment — Brookline Village Petition Map Change
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4.	Zoning Bylaw Amendment — Conservation Commission Text Change
5.	Zoning Bylaw Amendment — Citizen Petition on Special Permit Sections
6.	Zoning Bylaw Amendment — Planning Board Text Changes in Response to Petition on Special Permit Sections and Other Matters
7.	Community Development Funds, allocation and appropriation
8.	Central Village Property Rehabilitation Project (execution of cooperation agreement and approval of boundaries)
9.	Lincoln Feasibility Study — Transfer of Funds (\$25,000)
10.	New Pierce School, planning funds for correction of acoustical, masonry work, etc.

11. Reassessment Plan (\$25,000)
12. Emergency Medical Services System
13. Dexter Neighborhood Association litigation costs — Legislation
14. Acquisition of a portion of land owned by St. Dominic's School of Brookline (Playground area)
15. Acquisition of Portion of land owned by St. Dominic's School of Brookline (land at rear of property adjoining Amory Park)
16. Town owned land off Bellingham Road, transfer of the care, custody and control to the Conservation Commission
17. Town Bylaws, Amendment of Article XVIII, Sec. 26, Parking and Removing Vehicles in Private Ways
18. Town Bylaws, amendment of (Prohibiting Consumption of Alcoholic Beverages in Public Ways)
19. Legislation — Town Clerk and Town Treasurer
20. Legislation — Court Pay Auxiliary Police
21. Reports of Town Officers and Committees

## **SPECIAL TOWN MEETING**

**November 18, 1975**

Pursuant to the Warrant of the Selectmen, served according to law upon the inhabitants of the Town of Brookline by a Constable of said Town, and written notices sent by the Town Clerk at least seven days before the day of the meeting to the Town Meeting Members qualified to act in Town Meeting in Brookline under the provisions of Chapter 43A of the General Laws, as amended, accepted by the Town of Brookline March 10, 1942, the Town Meeting Members, so qualified, met at the High School Auditorium in said Town on Tuesday, the eighteenth day of November 1975 at half past seven in the evening.

Lists of duly qualified Town Meeting Members were used at the entrances to the meeting place and were in charge of Edward M. Kelly, Joseph F. Egan, Richard Boffa, Richard Nyhan and Vinson Rasta, checkers, who were sworn to the faithful performance of their duties. The list contained the names of Two Hundred and Fifty-Nine (259) Town Meeting Members qualified to participate in and vote in Town Meetings in Brookline. No Town Meeting Member was allowed within the rails until his name had been checked on the list.

At forty-five minutes past seven o'clock the checkers reported that one hundred and forty-five (145) names of Town Meeting Members had been checked, or more than one half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present. The meeting was called to order by the Moderator, Justin L. Wyner.

The Moderator appointed the following members as tellers, Mary M. Joyce, Haskell A. Kassler, J. Robert Morse, Edith G. Pearlman, Abraham J. Zimmerman, Jean C. Stanbury and James H. Kurland. They were sworn to the faithful performance of their duties by the Town Clerk.

The Moderator checked through the Articles and those not held were considered first.

**FIRST ARTICLE.** To see if the Town will amend the Zoning Map by changing to SC-7 an area in the vicinity of St. Paul, Francis, Toxteth Streets and Aspinwall Avenue, consisting of those parts now zoned T-5 of land designated in the 1975 Atlas of the Town of Brookline on Plate 28 and described as follows:

Block 131: all lots;  
 Block 132: Lots 1, 2, 9, 10, 11, 12, 12A, 13, 14, 15-16, 17, 20, 21, 22, 23, 24 and 25: and abutting streets to the centerline thereof.

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*Voted:* To refer back to the Planning Board the issues raised in the Perry-Toxteth petition article. The Planning Board will consider, with respect to the Perry-Toxteth neighborhood and any other neighborhood they may consider appropriate, at least the following:

- a) The creation of a new residential zone with use between SC and T
- b) The amending of any of the current use restrictions in SC and T
- c) The amending of any of the dimensional requirements in SC and T

The Planning Board shall complete their review in time to make recommendations, if any, to the next special Town Meeting following the 1976 Annual Town Meeting.

**TWELFTH ARTICLE.** To see if the Town will transfer from Surplus Revenue the sum of Twenty-three Thousand Eight Hundred and Six Dollars (\$23,806) to be expended by the Fire Chief with the approval of the Board of Selectmen, for the development of an emergency medical services system (EMSS) within the Fire Department, or take any other action with respect thereto.

On a motion of Kenneth M. Nelson, duly seconded, it was unanimously:

*Voted:* That action under the Twelfth Article be indefinitely postponed.

**SIXTEENTH ARTICLE.** To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission the care, custody, management and control, as prescribed in Massachusetts General Laws, Chapter 40, Section 8C, of a parcel of land situated on the easterly side of Bellingham Road, designated in the 1975 Town of Brookline Assessors' Atlas as Lot 7, Block 369, bounded and described as follows:

Beginning at a point on the easterly side of Bellingham Road, as accepted by the Town May 18, 1930, said point being the southerly terminus of a curve having a radius of one hundred seventy-five and no hundredths (175.00) feet;

Thence running northwesterly by the said curve to the left having a radius of one hundred seventy-five and no hundredths (175.00) feet, for a distance of thirty-one and ninety-three hundredths (31.93) feet to a point on the said easterly side of Bellingham Road;

Thence turning and running northeasterly by a straight line along the division line of land of said Lot 7, Block 369 and Lot 8, Block 369 for a distance of one hundred forty-four and fifty-two hundredths (144.52) feet to a point;

Thence turning and running southeasterly by a straight line along the division line of land of said Lot 7, Block 369 and Lot 6, Block 370 for a distance of eighty-three and eighty-seven hundredths (83.87) feet to a point;

Thence turning and running southeasterly by a straight line along the division line of land of said Lot 7, Block 369 and the said Lot 6, Block 370 for a distance of six and sixteen hundredths (6.16) feet to a point;

Thence turning and running southwesterly by a straight line along the division line of land as said Lot 7, Block 369 and Lot 6, Block 369 for a distance of two hundred seven and thirty-four hundredths (207.34) feet to a point on the said side of Bellingham Road;

Thence turning and running northeasterly by a straight line along the said easterly side of Bellingham Road for a distance of thirty-eight and forty-six hundredths (38.46) feet to the point of beginning, containing twelve thousand two hundred twenty-five (12,225) square feet, more or less, as shown on a plan by Walter A. Devine, Town Engineer, entitled "Land in Brookline" dated June 7, 1946 and as described in Certificate number 27268, Book 137, Page 68,

or take any other action with respect thereto.

On a motion of Eleanor Myerson, duly seconded, it was unanimously:

*Voted:* That action under the Sixteenth Article be indefinitely postponed.

**SEVENTEENTH ARTICLE.** To see if the Town will amend Article XVIII, Section 26 of the Town Bylaws entitled "Parking and Removing Vehicles in Private Ways," Paragraph (a), by substituting the word "fifteen" for the word "ten" in the last sentence thereof so that said Paragraph (a) shall read as follows:

No person shall leave a vehicle unattended or park any vehicle within 10 ft. of a hydrant in a private way or park or leave unattended for more than five minutes any vehicle within the limits of a private way furnishing means of access to any building, so as to obstruct the free passage or use of any vehicle of fire apparatus or other vehicle used for services required in behalf of the public health or safety in or through such way. A vehicle found within the limits of a private way which does not leave a free and unobstructed way, at least fifteen feet wide, for the passage of such vehicles shall be deemed to obstruct the free passage or use of vehicles in said way.

On motion of Herbert Abrams, duly seconded, it was unanimously:

*Voted:* That the Seventeenth Article be referred to the Building Commissioner and other department heads involved for investigation, study and a report, to be submitted to a subsequent Town Meeting.

**TWENTIETH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form:

**AN ACT ALLOWING THE TOWN OF BROOKLINE TO COMPENSATE AUXILIARY POLICE OFFICERS OF THE BROOKLINE POLICE DEPARTMENT FOR COURT ATTENDANCE IN CRIMINAL CASES.**

**SECTION 1.** Notwithstanding the provisions of any General or Special Law, or Bylaw to the contrary, the Town of Brookline shall compensate all auxiliary police officers of the Brookline Police Department for Court attendance in criminal cases and that said compensation shall be paid in accordance with the provisions of Massachusetts General Laws, Chapter 262 §53C.

or will take any other action with respect thereto.

On motion of Edward Novakoff, duly seconded, it was unanimously:

*Voted:* That action under the Twentieth Article be indefinitely postponed.

**TWENTY-FIRST ARTICLE.** To hear and act upon the reports of Town Officers and Committees.

On motion of Judah M. Stone, duly seconded, it was unanimously:

*Voted:* To authorize the Housing Study commission, created by vote under Article 36 in the Warrant for the 1975 Annual Town Meeting, to continue the study authorized in said vote and to present its findings and proposed Warrant Articles, if any, to the next Annual Town Meeting. The Commission will be dissolved upon further delivering its findings and recommendations.

On motion of Kenneth M. Nelson, duly seconded, it was unanimously:

*Voted:* To authorize the Transportation Study Committee, created by vote under Article 5 in the Warrant for the 1975 Annual Town Meeting, to continue the study authorized in said vote and to complete its work in time to present its findings and proposed Warrant Articles, if any, to the next Annual Town Meeting. The Committee will be dissolved upon so delivering its findings and recommendations.

**SECOND ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendment thereto or will otherwise amend and adopt said proposed amendment, or will take any other action with respect thereto:

The second and third Articles were considered together and voted under Article 3.

**THIRD ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or will take any other action with respect thereto:

1. To amend the Zoning Map by including within a G-1.0 district an area in the vicinity of Kent, Webster and Linden Streets consisting of those parcels now zoned G-2.0 and designated in the 1975 Atlas of the Town of Brookline on Plate 30 as follows:

Block 140A: lot 1  
Block 141: lot 21A and lots 22 through 30;  
and abutting streets to the centerline thereof.

2. To amend the Zoning Map by including within a G-1.0 district an area in the vicinity of Washington, Harvard, Thayer and School Streets and Thayer Place, Goodwin Place and Homer Street, consisting of those parcels now zoned G-2.0 and designated in the 1975 Atlas of the Town of Brookline on plates 36 and 31 as follows:

Block 172: all lots;  
Block 174: all lots;  
Block 177: lots 1-8, 46, 47-49;  
Block 154: lot 5; and abutting streets, ways and paths to the centerline thereof.

On a motion of Kenneth M. Nelson, duly seconded, to amend the Zoning Map by including within a G-1.0 district an area in the vicinity of Kent, Webster and Linden Streets consisting of those parcels now zoned G-2.0 and designated in the 1975 Atlas of the Town of Brookline on Plate 30 as follows:

Block 140A: lots 1, 2, and 3;  
Block 141: lot 21A, lots 22 through 29, and the easterly portion of lot 30 which is more than 100 feet from the easterly right-of-way line of Harvard Street;  
Block 140: lots 11-16; and abutting streets to the centerline thereof, was defeated.

A two-thirds vote being required for passage a majority vote was not obtained, was so declared by the Moderator, and is so recorded.

On a motion by Robert C. Cochrane, Jr., duly seconded, to amend the Zoning Map by including within a G-1.0 district an area in the vicinity of Kent, Webster and Linden Streets consisting of those parcels now zoned G-2.0 and designated in the 1975 Atlas of the Town of Brookline on Plate 30 as follows:

Block 140A: lots 1, 2 and 3;

Block 141: lot 21A, lots 22 through 29, and the easterly portion of lot 30 which is more than 100 feet from the easterly right-of-way line of Harvard Street; and abutting streets to the centerline thereof, was defeated.

A two-thirds vote being required, the vote was taken by count, one hundred four (104) voted in the affirmative and seventy-eight (78) voted in the negative, was so declared by the Moderator, and is so recorded.

On a motion by Robert C. Cochrane, Jr., duly seconded, to amend the Zoning Map by including within a G-1.0 district an area in the vicinity of Washington, Harvard, Thayer and School Streets and Thayer Place, Goodwin Place and Homer Street, consisting of those parcels now zoned G-2.0 and designated in the 1975 Atlas of the Town of Brookline on plates 31 and 36 as follows:

Block 172: all lots;

Block 174: all lots;

Block 177: lots 1-8, 46, 47-49;

Block 154: lot 5; and abutting streets, ways and paths to the centerline thereof, was defeated.

A two-thirds vote being required, the vote was taken by count, one hundred nineteen (119) voted in the affirmative, sixty-two (62) voted in the negative and three abstained, Jack H. Backman, Judith A. Smith and Benedict S. Alper, was so declared by the Moderator, and is so recorded.

A request for reconsideration by Morris S. Shubow, duly seconded, was defeated. The two-thirds vote required was not obtained, was so declared by the Moderator, and is so recorded.

**FOURTH ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendment thereto or will otherwise amend and adopt said proposed amendment, or will take any other action with respect thereto:

To see if the Town will vote to amend Section 5.31(c) of the Zoning By-law, Exception to Maximum Height Regulations by inserting the phrase "or any public park, playground, or conservation land in any district" after the phrase "from any land not within a public way in an S, SC, or T District", and in 5.31(c) (1) inserting the phrase "or any public park, playground, or conservation land in any district" after the phrase "S, SC, or T District".

A motion of Robert M. Stein, duly seconded, to amend Section 5.31(c) of the Zoning By-law, Exception to Maximum Height Regulations by inserting the phrase "or any public park, playground, or conservation land in any district" after the phrase "from any land not within a public way in an S, SC, or T District", and in 5.31(c) (1) inserting the phrase "or any public park, playground, or conservation land in any district" after the phrase "S, SC, or T District", was defeated.

A two-thirds vote being required, the vote was taken by count, one hundred seventeen (117) voted in the affirmative and sixty-two (62) voted in the negative, was so declared by the Moderator, and is so recorded.

**FIFTH ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or take any other action with respect thereto:

1. To amend Section 5.03 by deleting the last sentence.
2. To amend Section 5.31(b) by deleting the words "the spirit of" and ending the sentence after "Section 5.30".
3. To delete Section 5.43.
4. To amend Section 5.44, Accessory Underground Structures, by deleting paragraph (c) thereof and by relabelling the existing paragraph (d) as paragraph (c).
5. To amend Section 6.13, Design of Off-street Parking Facilities, by deleting paragraph (l) thereof and by relabelling the existing paragraph (m) as paragraph (l).

**The Fifth and Sixth Articles were considered together and voted under Article Six.**

**SIXTH ARTICLE.** To see if the Town will amend the Zoning Bylaw by adopting the following amendments thereto or will otherwise amend and adopt said proposed amendments, or will take any other action with respect thereto:

1. To amend Article 2 Definitions by re-numbering Section 2.01 to read "2.01-A", Section 2.03 to read "2.03-A", and Section 2.03-A to read "2.03-B", and by adding a new section after Section 2.01-A:

**SECTION 2.01-B AMENITY**

A condition or facility that provides a favorable level of physical or material comfort or of sensory or psychological pleasure, including but not limited to desirable exposure to sunlight or shade, protection from adverse microclimate or contribution to favorable microclimate; facilitation of pleasant views of sky, distant or nearby cityscape or landscape, foliage or plant materials, handsome architecture or works of art; provision or preservation of unusual natural or manmade assets such as specimen trees or historic structures; provision of special comforts or conveniences such as benches.

2. To amend Section 2.27 Open Space, Landscaped, by substituting "30 per cent" for "50 per cent" in the last sentence.

3. To amend Section 3.2(d) Boundaries of Districts, by adding at the end a new sentence:

When two districts with different use designations are involved, the "less restricted part of the lot" shall be that part subject to less restricted use regulations.

4. To amend Section 4.30 Principal Use No. 5 by substituting "six such units" for "eight such units" in the fourth line.

5. To amend Section 5.00 Table of Dimensional Requirements column of Lot Size Minimum by substituting "3,000" in place of "2,500" for 1-family attached dwellings in T-6 Districts and by substituting "2,500" in place of "2,250" for 1-family attached dwellings in T-5 districts.

6. To amend Section 5.09(b) Application of Environmental Impact and Design Review by adding a comma after "Building Code" and inserting the phrase "except window signs subject to the provisions of Section 7.3(a) (8).".

7. To amend Section 5.43 Exceptions to Yard and Setback Regulations by changing the period to a comma and adding:

as measured by off-setting a reduction in the depth or area of a required yard or setback by an increase in the depth or area of another yard or setback or by the provision or preservation of a condition or a facility not otherwise required that will counterbalance such a reduction; provided, however, that under this section the Board of Appeals shall not reduce the depth of a required front yard below 15 feet in M districts.

8. To delete the entire Section 5.44 Accessory Underground Structures and substitute:

#### SECTION 5.44 ACCESSORY UNDERGROUND STRUCTURES

(a) Any accessory structure or any part of a main structure or building which is located entirely beneath the surface of the ground at the natural grade level may extend into a required yard, except that in any Residence District and in any other situation where Landscaped Open Space is required, no underground structure or building shall be located beneath more than fifty per cent of the required Landscaped Open Space nor nearer than ten feet to any lot line.

(b) Any part of a required side or rear yard may be occupied by an accessory underground garage structure or part of a main building for accessory garage use which is not located entirely beneath the surface of the ground at the natural grade level provided:

(1) The height of any such structure shall not exceed at any point along its wall or walls the grade of the natural ground contiguous to the structure by more than three feet.

(2) There shall be no fence or parapet higher than six feet above such grade of natural ground.

(3) In any situation where Landscaped Open Space is required, such structure shall not be located beneath more than fifty per cent of the required Landscaped Open Space.

(4) Such structure shall be set back at least five feet from any lot line, and in any Residence District and in any other situation where Landscaped Open Space is required shall be set back at least ten feet.

(c) The Board of Appeals may by special permit authorize such an accessory underground garage structure or part of a main building which is not located entirely beneath the surface of the ground at the natural grade level within a required front yard provided:

(1) The structure shall meet all the conditions of paragraph (b) of this section.

(2) There shall be no parking on the roof of such structure.

(3) No parked vehicles shall be seen from the street.

(d) The Board of Appeals may by special permit modify the setback requirements in paragraph (a), (b), and (c) above and the height limitations in subsections (1) and (2) of paragraph (b) above subject to the provisions of 9.5, and provided that such modification is counterbalanced by appropriate landscaping and screening to assure the same standard of amenity to nearby properties as would have been provided by compliance with the regulations of the By-law.

#### 9. To add a new SECTION 5.48 ATTACHED ONE-FAMILY DWELLINGS IN T-DISTRICTS.

Where Three or more attached one-family dwellings are proposed to be built in T districts, one of the following provisions must be met:

(a) each such dwelling shall have individual frontage on a street in accordance with the provisions of Section 5.14; or

(b) where such dwellings do not have individual frontages on a street, the lot shall have frontage on a street equal to the lot width requirement for each attached dwelling times the number of dwellings and shall have side and rear yards of at least 25 feet.

#### 10. To amend Section 6.13(d)(3) Entrance and Exit Drives by deleting the wording "Director of Traffic and Parking" and inserting the wording "Director of Transportation".

#### 11. To amend Section 6.13(d)(4)(ii) Location of Curb Cuts by deleting the wording after "special permit may" and substituting "modify this requirement after receipt of advisory reports from the Commissioner of Public Works and the Director of Transportation and subject to the provisions of Section 9.5".

#### 12. To amend Section 6.13(1) New Parking Facilities for Existing Uses by changing the period to a comma and adding:

and provided that the provisions of paragraph (f) of this section are met.

#### 13. To add a new paragraph (8) to Section 7.3(a) Signs in L, G, and I Districts:

(8) Installation of one or more interior window signs may be permitted by the Building Commissioner; such signs shall not be subject to the provisions of Section 5.09 provided that all of the following conditions are met:

(i) The aggregate area of all such signs does not exceed one square foot for each foot of building face parallel or substantially parallel to a street lot line, said area shall be part of the maximum area allowed by Section 7.3(a)(3).

(ii) The aggregate area of all such signs, including temporary signs, does not exceed 30 per cent of the area of such window.

(iii) sign or signs are non-illuminated.

(iv) all pre-existing signs and sign supports are removed from the facade and roof, and

(v) prior to approval, the sign proposal has been submitted to the Planning Director for review and comment based on the sign design guidelines established under the Environmental Impact and Design Review regulations.

14. To amend Section 7.5 Nonconformance of Accessory Signs by deleting the phrase "before the adoption of this By-law" in the second line by deleting the phrase "after the adoption of this By-law," in the fourth and fifth lines.

On motion by Robert C. Cochrane, Jr., duly seconded, items 1-11 inclusive were unanimously:

1. *Voted:* To amend Section 4.30 Principal Use No. 5 by substituting "six such units" for "eight such units" in the fourth line.

2. *Voted:* To amend Section 5.00 Table of Dimensional Requirements column of Lot Size Minimum by substituting "3,000" in place of "2,500" for 1-family attached dwellings in T-6 Districts and by substituting "2,500" in place of "2,250" for 1-family attached dwellings in T-5 districts.

3. *Voted:* To add a new SECTION 5.48 ATTACHED ONE-FAMILY DWELLINGS IN T DISTRICTS.

Where three or more attached one-family dwellings are proposed to be built in T districts, one of the following provisions must be met:

(a) each such dwelling shall have individual frontage on a street not less than the lot width requirement specified in Section 5.00; or

(b) where such dwellings do not have individual frontages on a street, the lot shall have frontage on a street not less than the lot width requirement for each attached dwelling times the number of dwellings and shall have side and rear yards of at least 25 feet.

and to add in Table of Dimensional Regulations Footnote #2 after the first sentence: "In T districts, see also Section 5.48."

4. *Voted:* To amend Article 2 Definitions by renumbering Section 2.01 to read "2.01-A", Section 2.03 to read "2.03-A", and Section 2.03-A to read "2.03-B", and by adding a new section after Section 2.01-A:

#### SECTION 2.01-B AMENITY

A condition or facility that provides comfort or pleasure, including but not limited to desirable exposure to sunlight, protection from adverse microclimate, contribution to favorable microclimate, pleasant views of sky, cityscape, landscape, or works of art, preservation of trees or historic structures, provision of assets or conveniences such as specimen trees or benches.

5. *Voted:* To amend Section 5.31(b) Exceptions to Maximum Height Regulations, by substituting "best approximate" for "fulfill the spirit of" in the seventh line.

6. *Voted:* To amend Section 5.43 Exceptions to Yard and Setback Regulations, by changing the period to a comma and adding:

as measured by off-setting a reduction in the depth or area of a required yard or setback by an increase in the depth or area of another yard or setback or by the provision or preservation of a condition or a facility not otherwise required that will counterbalance such a reduction; provided, however, that under this section the Board of Appeals shall not reduce the depth of a required front yard below 15 feet in M Districts.

7. *Voted:* To delete the entire Section 5.44 Accessory Underground Structures and substitute:

#### SECTION 5.44 ACCESSORY UNDERGROUND STRUCTURES

(a) Any accessory structure or any part of a main structure or building which is located entirely beneath the surface of the ground at the natural grade level may extend into a required yard, except that in any Residence District and in any other situation where Landscaped Open Space is required, no underground structure or building shall be located beneath more than fifty percent of the required Landscaped Open Space nor nearer than ten feet to any lot line.

(b) Any part of a required side or rear yard may be occupied by an accessory underground garage structure or part of a main building for accessory garage use which is not located entirely beneath the surface of the ground at the natural grade level provided:

- (1) The height of any such structure shall not exceed at any point along its wall or walls the grade of the natural ground contiguous to the structure by more than three feet.
- (2) There shall be no fence or parapet higher than six feet above such grade of natural ground.
- (3) In any situation where Landscaped Open Space is required, such structure shall not be located beneath more than fifty per cent of the required Landscaped Open Space.
- (4) Such structure shall be set back at least five feet from any lot line, and in any Residence District and in any other situation where Landscaped Open Space is required shall be set back at least ten feet.

(c) The Board of Appeals may by special permit authorize such an accessory underground garage structure or part of a main building which is not located entirely beneath the surface of the ground at the natural grade level within a required front yard provided:

- (1) The structure shall meet all the conditions of paragraph (b) of this section.
- (2) There shall be no parking on the roof of such structure.
- (3) No parked vehicles shall be seen from the street.

(d) The Board of Appeals may by special permit modify the setback requirements in paragraphs (a), (b), and (c) above and the height limitations in subsections (1) and (2) of paragraph (b) above subject to the provisions of 9.5 and provided that such modification is counterbalanced by appropriate landscaping and screening to assure the same standard of amenity to nearby properties as would have been provided by compliance with the regulations of the By-law.

*8. Voted:* To amend Section 6.13(1) New Parking Facilities for Existing Uses by changing the period to a comma and adding:

and provided that the provisions of paragraph (f) of this section are met.

*9. Voted:* To amend Section 2.27 Open Space, Landscaped, by substituting "30 per cent" for "50 per cent" in the last sentence.

*10. Voted:* To amend Section 3.2(d) Boundaries of Districts by adding at the end a new sentence:

When two districts with different use designations are involved, the "less restricted part of the lot" shall be that part subject to less restricted use regulations.

*11. Voted:* To amend Section 6.13(d)(3) Entrance and Exit Drives, by deleting the wording "Director of Traffic and Parking" and inserting the wording "Director of Transportation".

*Article 6 Item 12:*

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*12. Voted:* To amend section 6.13(d)(4)(ii) Location of Curb Cuts by deleting the wording after "special permit may" and substituting "modify this requirement after receipt of reports from the Commissioner of Public Works and the Director of Transportation that such modification in distance would facilitate traffic and be safer and subject to the provisions of Section 9.5".

*Article 6 Item 15:*

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*15. Voted:* To amend Section 7.5 Nonconformance of Accessory Signs, by deleting the phrase "before the adoption of this By-law" in the second line and by deleting the phrase ", after the adoption of this By-law," in the fourth and fifth lines.

*Article 6 Item 14:*

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To add a new paragraph (8) to Section 7.3(a) Signs in L, G, and I Districts:

(8) Installation of one or more permanent interior window signs may be permitted; such signs shall not be subject to the provisions of Section 5.09 provided that all of the following conditions are met:

- (i) The aggregate area of all such signs does not exceed one-half square foot for each foot of building face parallel or substantially parallel to a street lot line, said area shall be part of the maximum area allowed by Section 7.3(a)(3).
- (ii) There are not more than two such signs in any window.
- (iii) The aggregate area of all signs in any window, including temporary signs, does not exceed 30 per cent of the area of such window.
- (iv) Sign or signs are non-illuminated.
- (v) All pre-existing signs and sign supports are removed from the facade and roof, except those approved for the same business under Section 5.09.
- (vi) Prior to approval, the sign proposal has been submitted to the Planning Director for review and comment by the Planning Board within ten working days based on the sign design guidelines established under the Environmental Impact and Design Review regulations.

Permanent interior window signs which do not conform with all of the conditions of this paragraph (8) shall be subject to the provisions of Section 5.09.

A two-thirds vote being required, the vote was taken by count, one hundred four (104) voted in the affirmative, thirty-five (35) voted in the negative and five (5) abstained from voting was so declared by the Moderator, and is so recorded.

*Article 6, Item 13:*

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To amend Section 5.09(b) Application of Environmental Impact and Design Review by adding a comma after "Building Code" and inserting the phrase "except permanent window signs conforming with all of the provisions of Section 7.3(a)(8)".

A two-thirds vote being required, the vote was taken by count, one hundred twenty-eight (128) voted in the affirmative, seven (7) voted in the negative and four (4) abstained from voting, was so declared by the Moderator, and is so recorded.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of this Special Town Meeting be held on Thursday, November 20, 1975 at 7:30 P.M. in the Brookline High School Auditorium.

At eight minutes after eleven o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting at 11:08 P.M. until Thursday, November 20, 1975 at half past seven in the evening at the same place.

At the close of the meeting the checkers at the entrance reported two hundred and thirty (230) Town Meeting Members had been checked as present at this meeting.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED SPECIAL TOWN MEETING

November 20, 1975

In accordance with the vote passed at the Recessed Special Town Meeting on November 18, 1975, the Town Meeting Members met at the High School Auditorium on Thursday, November 20, 1975 at half past seven in the evening.

No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At fifty-four minutes after seven o'clock, the checkers reported that one hundred and thirty-five names of Town Meeting Members had been checked, or more than one half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

**SEVENTH ARTICLE.** To see if the Town will authorize the Board of Selectmen to file preapplications and applications under the Housing and Community Development Act of 1974, P.L. 93-383, as amended, including an application for Community Development Block Grant funds for the general programs to be undertaken in FY-1977 in the amount of \$1,180,000, as the same may be amended; and authorize the Board of Selectmen to take such other actions and file such other preapplications and applications as may be appropriate and necessary to obtain funds for these programs and such other funds for which the Town may be eligible under said Act; and to appropriate, and to authorize the Board of Selectmen to expend, funds received or to be received by the Town from the Department of Housing and Urban Development as a result of said applications, or take any other action with respect thereto.

A motion by Gordon Francis Lupien, to refer items 2(a) and 2(b) to the Board of Selectmen for further consideration and public hearings and report back to the next Special or Annual Town Meeting, was defeated.

On a motion of Robert M. Stein, duly seconded, it was:

*Voted:* To authorize the Board of Selectmen to file preapplications and applications under the Housing and Community Development Act of 1974, P.L. 93-383, as amended, including an application for Community Development Block Grant funds for the general programs to be undertaken in FY-1977 as outlined below, as the same may be amended; and authorize the Board of Selectmen to take such other actions and file such other preapplications and applications as may be appropriate and necessary to obtain funds for these programs and such other funds for which the Town may be eligible under said Act; and to appropriate, and to authorize the Board of Selectmen to expend, funds received or to be received by the Town from the Department of Housing and Urban Development as a result of said applications.

1. Program Planning, Management and Evaluation	\$ 52,000
2. Central Village Rehabilitaiton Program	892,000
A. Project Administration (\$35,000)	
B. Housing Inspections and Rehab. Services (\$152,000)	
C. Rehab. Subsidy Fund (\$230,000)	
D. Public Improvements (\$475,000)	
3. Public Housing Modernization Program	40,000
4. Commercial Area Improvement Studies	15,000
5. Comprehensive/ Area Plans (701)	20,000
6. Social Services Program (C.V.)	20,000

7. Youth Employment Program (C.V.)	90,000
8. Lynch Recreation Center Renovation (C.V.)	0
9. Removal and Replacement-Dutch Elm diseased trees (C.V.)	11,000
10. Washington Street Tree Planting (C.V.)	10,000
Contingency	<u>30,000</u>
<b>TOTAL</b>	<b>\$1,180,000</b>

**EIGHTH ARTICLE.** To see if the Town will determine that there exists in the Town the need for Property Rehabilitation Project pursuant to the provisions of Chapter 121B of the Massachusetts General Laws, and will authorize the Selectmen to execute on behalf of the Town a "cooperation agreement" between the Town and the Brookline Redevelopment Authority providing for the cooperation required by Massachusetts Department of Community Affairs with respect to the rehabilitation plan for the Central Village Property Rehabilitation Project in the Town of Brookline, generally bounded by Francis Street, St. Paul Street, the northeasterly boundary of the former Harvard-Aspinwall renewal area; Harvard Street, Harvard Avenue, the westerly boundary of Pierce Playground, Cypress Street, Boylston Street, Cushing Road, Chestnut Street, and the Boston City Line to the point of beginning; said agreement containing provisions with respect to the Town making funds available for the project activities, coordination of project activities by the Brookline Redevelopment Authority, the construction of public improvements by the Town, such as but not limited to: street widening, sidewalk reconstruction, installation or replacement of underground utilities, and any other form of cooperation, doing any and all other things authorized by law and necessary or convenient to aid and cooperate in the planning, construction or operation of the project; copies of a draft of which agreement are on file in the office of the Selectmen, the Brookline Redevelopment Authority and the Town Clerk, or take any other action with respect thereto.

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*Voted:* That the Town determines that there exists in the Town the need for Property Rehabilitation Project pursuant to the provisions of Chapter 121B of the Massachusetts General Laws, and authorizes the Selectmen to execute on behalf of the Town a "cooperation agreement" between the Town and the Brookline Redevelopment Authority providing for the cooperation required by Massachusetts Department of Community Affairs with respect to the rehabilitation plan for the Central Village Property Rehabilitation Project in the Town of Brookline, generally bounded by Francis Street, St. Paul Street, the northeasterly boundary of the former Harvard-Aspinwall renewal area; Harvard Street, Harvard Avenue, the westerly boundary of Pierce Playground, Cypress Street, Boylston Street, Cushing Road, Chestnut Street, and the Boston City Line to the point of beginning, as shown on a plan by Leo D. Picardi, Commission of Public Works, dated October 30, 1975, on file with the Town Clerk; said agreement containing provisions with respect to the Town making funds available for the project activities, coordination of project activities by the Brookline Redevelopment Authority, the construction of public improvements by the Town, such as but not limited to: street widening, sidewalk reconstruction, installation or replacement of underground utilities, and any other form of cooperation, doing any and all other things authorized by law and necessary or convenient to aid and cooperate in the planning, construction or operation of the project; said cooperation agreement shall be substantially in the same form and content as the draft agreement dated November 13, 1975, on file with the Town Clerk, and incorporated herein by reference; by this vote of

the Town Meeting designating the Central Village Rehabilitation Project a Chapter 121B Rehabilitation Project, the Town of Brookline is not limiting its right to undertake or operate other or concurrent Rehabilitation Programs within or without the Central Village Rehabilitation Project area, and that said designation Chapter 121B Rehabilitation Project is not to carry with it any exclusive authorization to the Brookline Redevelopment Authority, but that the Town expressly reserves the right to conduct such other or concurrent programs, whether of the same or a different nature, to the extent authorized by law. Further, the aforesaid designation shall not be effective until the "cooperation agreement" referenced above is executed by the Selectmen and the Brookline Redevelopment Authority; and, as provided in that cooperation agreement, the authorization of Town Meeting hereunder and the cooperation agreement shall hereafter become null and void if a mutually satisfactory contract for administration and coordination which outlines the Scope of Services to be provided by the Brookline Redevelopment Authority is not executed by the Selectmen and the Brookline Redevelopment Authority by December 31, 1975 for the fiscal year beginning July 1, 1975 and ending June 30, 1976; or if a similar such contract is not executed by the parties on or before May 31, 1976 for the fiscal year beginning July 1, 1976 and ending June 30, 1977. Both such contracts for administration and coordination shall be subject to and contain the limitations set forth in the referenced cooperation agreement. Notwithstanding the foregoing, in the event that at a future date Town Meeting shall have voted to have delegated to the Town any of the powers or rights of the Brookline Redevelopment Authority pursuant to the provisions of the cooperation agreement authorizing such delegation, any nullification of this vote or the cooperation agreement thereafter shall not abridge the Town's exercise of rights and powers previously delegated.

Esther G. Saloman abstained from voting on this Article.

**NINTH ARTICLE.** To see if the Town will authorize the transfer of a sum not to exceed twenty-five thousand dollars (\$25,000) from the unencumbered balance in the account entitled "Plans and Specifications — William H. Lincoln School" to a Special Account for a Feasibility Study of building needs of the Lincoln-Sewall School district, or take any other action with respect thereto.

A motion by Shepard A. Spunt, duly seconded, to omit "with or" under items 1(a) and 1(b), was defeated.

A motion of Shepard A. Spunt, duly seconded, to add the word "Park" after "Lincoln" under Item 2, was voted by a majority.

A motion by Samuel E. Shaw II, duly seconded, to add subsection 1(e) to read "A new concept for a Lincoln-Sewall School on the Park School site," was passed by a majority vote.

On motion of Ann M. Wacker as amended above, duly seconded, it was:

*Voted:* To appropriate and transfer twenty-five thousand dollars (\$25,000), from the unencumbered balance in the account entitled: "Plans and Specifications — William H. Lincoln School" to a new special account for a Planning Feasibility Study, with the funds to be expended and the study to be conducted in accordance with Article XV-A, 2, B, on the alternative ways to solve the school building needs of the Lincoln-Sewall district; with the Feasibility Study to also consider the following elements and assess the cost effectiveness of all potential candidate solutions:

1. The educational program and how it can be accommodated in a K-8 conformation or divisions thereof. Facilities to be considered include:
  - a) The present Lincoln structure and modifications thereto with or without site expansions
  - b) The present Sewall structure and modifications thereto with or without site expansions
  - c) The present Park structure and modifications thereto
  - d) The previously-proposed Lincoln-Sewall K-8 school on the Park School site and modifications thereto
  - e) A new concept for a Lincoln-Sewall school on the Park School site

2. The sales potential and value of the present Lincoln, Park and Sewall Schools and sites.
3. The demography of the Lincoln-Sewall and abutting school districts, as developed in the Driscoll Feasibility Study, including the impact of proposed District line changes, the Marsh and all other new and proposed major construction in the area.

A motion for a Roll Call vote, was defeated.

On motion duly made and seconded, it was unanimously:

*Voted:* That the next session of this Special Town Meeting be held on Monday, November 24, 1975 at 7:30 P.M. in the Brookline High School Auditorium.

At fifty-five minutes after ten o'clock, on motion duly made and seconded, it was unanimously:

*Voted:* To recess the meeting at 10:55 P.M. until Monday, November 24, 1975 at half past seven in the evening at the same place.

At the close of the meeting the checkers at the entrance reported two hundred nine (209) Town Meeting Members had been checked as present at this meeting.

Recessed:

Thomas F. Larkin  
Town Clerk

## RECESSED SPECIAL TOWN MEETING

November 24, 1975

In accordance with the vote passed at the Recessed Special Town Meeting on November 20, 1975 the Town Meeting Members met at the High School Auditorium on Monday, November 24, 1975 at half-past seven in the evening.

No Town Meeting Members were allowed within the rails until their name had been checked on the list.

At eight minutes past eight o'clock, the checkers reported that one hundred and thirty-five (135) names of Town Meeting Members had been checked, or more than one-half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by Moderator, Justin L. Wyner.

**TENTH ARTICLE.** To see if the Town will transfer from Surplus Revenue a sum of money for studies, plans and specifications for the correction of acoustical and masonry work and other problems of the new Pierce School, or take any other action with respect thereto.

A motion by Charlotte Litt to reduce sum to \$12,500, was defeated.

On motion by Ann M. Wacker, duly made and seconded, it was:

*Voted:* To appropriate and transfer from Surplus Revenue \$25,000 to be expended by the Building Commission with the approval of the Board of Selectmen, for studies, plans and specifications for the correction of acoustical problems of the new Pierce School.

**ELEVENTH ARTICLE.** To see if the Town will transfer from Surplus Revenue the sum of Twenty-Five Thousand Dollars (\$25,000) to be expended by the Assessors, with the approval of the Board of Selectmen, for the reassessment of all real estate and personal property in the Town, or take any other action with respect thereto.

On motion by Ruth Dorfman, duly seconded, it was voted to refer Article 11 to the Board of Selectmen to consider further with regard to the implications of new legislation and pending court rulings and report back with recommendations to the 1976 Annual Town Meeting.

**TWELFTH ARTICLE.** To see if the Town will transfer from Surplus Revenue the sum of Twenty-three Thousand Eight Hundred and Six Dollars (\$23,806) to be expended by the Fire Chief with the approval of the Board of Selectmen, for the development of an emergency medical services system (EMSS) within the Fire Department, or take any other action with respect thereto.

On motion of Kenneth M. Nelson, duly seconded, it was unanimously:

*Voted:* That action under the Twelfth Article be indefinitely postponed.

**THIRTEENTH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form:

AN ACT ALLOWING THE TOWN OF BROOKLINE TO REIMBURSE THE DEXTER NEIGHBORHOOD ASSOCIATION IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000) FOR LEGAL FEES.

SECTION 1. Notwithstanding the provisions of any General or Special Law, or Bylaw, to the contrary, the Town of Brookline shall reimburse the Dexter Neighborhood Association in the amount of five thousand dollars (\$5,000) for legal fees that it has incurred in litigation involving the issuance of a building permit for the Dexter Park Apartments.

or take any other action with respect thereto.

On motion of Kenneth M. Nelson, duly seconded, it was:

*Voted:* That the Town petition and/or approve the filing of a petition to the General Court in substantially the following form:

AN ACT ALLOWING THE TOWN OF BROOKLINE TO REIMBURSE THE DEXTER NEIGHBORHOOD ASSOCIATION IN THE AMOUNT OF UP TO FIVE THOUSAND DOLLARS (\$5,000) FOR LEGAL FEES:

SECTION 1. Notwithstanding the provisions of any General or Special Law, or By-Law, to the contrary, the Town of Brookline by vote of the Town Meeting may reimburse the Dexter Neighborhood Association in an amount of up to Five Thousand Dollars (\$5,000) for legal fees that it has incurred in litigation involving the issuance of a Building Permit for the Dexter Park apartments.

Morris Shubow, Chester A. Pearlman, Jr., and Edith G. Pearlman abstained from voting.

**FOURTEENTH ARTICLE.** To see if the Town will authorize the Selectmen to purchase, or take by eminent domain in fee simple interest under Chapter 79 of the General Laws, for playground purposes to provide for an Extended Amory Playground, a certain parcel of land, located on Amory Street, near the Amory Playground which is a portion of Lots 1, 2, and 3 of Block 12 designated in the 1975 Assessors' Atlas of the Town of Brookline, and described as follows:

Beginning at a point, said point being on Amory Street on the boundary of Lots 1, 2, and 3 in Block 12;

Thence running northeasterly along Amory Street for a distance of 165 feet ±

Thence turning and running southeasterly between Lots 1, 2 and 3 in Block 12, now or formerly owned by St. Dominic's Institute, Inc. and Lot 6 in Block 12 now owned by the Trustees of Boston University for a distance of 175 feet ±.

Thence turning and running southwesterly through Lots 1, 2, and 3 in Block 12 for a distance of 165 feet ±.

Thence turning and running northwesterly through Lots 1, 2, and 3 in Block 12 for a distance of 175 feet ± to the point of beginning. Containing approximately 28,875 square feet more or less; and to authorize the Park and Recreation Commission to enter into agreements with state and federal agencies for financial and other assistance in connection with such program or take any other action with respect thereto.

See vote under Article 15.

**FIFTEENTH ARTICLE.** To see if the Town will vote to authorize the Board of Selectmen upon the written request of the Conservation Commission to take the following described land in fee or rights of easement therein by eminent domain under the provisions of Chapter 79 of the General Laws or acquire said land in fee or rights of easement therein by purchase or otherwise, for conservation purposes under Chapter 40, Section 8c of the General Laws; and to raise and appropriate, or appropriate from available funds, a sum of money to pay for the same or to be used for the payment of land damages or other costs and expenses of such acquisition; and to authorize the Conservation Commission to enter into agreements with state and federal agencies for financial and other assistance in connection with such program; or take any other action with respect thereto:

Beginning at a point, said point being at the Northeastern corner of the intersection of Freeman Street, the Freeman Street Extension, and Amory Street,

Thence running northeasterly between Lots 1, 2, and 3 in Block 12 and Amory Street for a distance of 115 ± to a point;

Thence turning and running southeasterly through Lots 1, 2, and 3 in Block 12 for a distance of 591 feet ± to a point;

Thence turning and running southwesterly between Lots 1, 2, and 3 in Block 12 and Lots 4 and 4a in Block 12 for a distance of 135 feet ± to a point;

Thence turning and running northwesterly along Lots 1, 2 and 3 in Block 12 and along the Freeman Street Extension for a distance of 110 feet ± to a point;

Thence turning and running northeasterly along Lots 1, 2, and 3 in Block 12 and along the Freeman Street Extension for a distance of 20 feet ± to a point;

Thence turning and running northwesterly along Lots 1, 2, and 3 in Block 12 and along the Freeman Street Extension for a distance of 482.5 feet ± to the point of beginning; containing approximately 70,165 square feet more or less.

Articles 14 and 15 were considered together. On motion by Kenneth M. Nelson, duly seconded, it was unanimously:

*Voted:* To refer the entire subject matter under Articles 14 and 15 to the Board of Selectmen and that the Board submit an appropriate article to the Special Town Meeting on December 16, 1975.

**EIGHTEENTH ARTICLE.** To see if the Town will amend the Town By-law by adding a new Article, as follows:

#### ARTICLE

##### Prohibiting Consumption of Alcoholic Beverages — Public Ways

1. No person shall drink any alcoholic beverages as defined in Chapter 138, Section 1 of the Massachusetts General Laws while in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, or private land without the consent of the owner or person in control thereof. All alcoholic beverages being used in violation of this ordinance shall be seized and safely held until final adjudication of the charge against the person or persons arrested or summoned before the court, at which time they shall be returned to the person entitled to lawful possession.
2. Whoever violates any provision of the Bylaw shall be liable to a penalty not exceeding fifty dollars (\$50.00) for each offense.
3. Whoever remains in, on, or upon any premises described herein in willful violation of this Bylaw may be arrested without a warrant, in accordance with Chapter 272, Section 59 of the General Laws by an officer authorized to serve criminal process in the place where the offense is committed, if such person is unknown to such officer.
4. The prohibition shall apply in, on or outside of an automobile or other motor vehicle but shall not apply in or upon:
  - (A) Any private parking lot or private way to which the public has access where prior consent has been obtained from the owner or authorized person in control thereof, and provided further that no disturbance or annoyance is created thereby.
  - (B) Any public property specified in Section 1 where prior written consent has been issued from the Board of Selectmen in accordance with the provisions of Section 5 and provided that no disturbance or annoyance is created thereby.

5. Permits for the public consumption of alcoholic beverages; procedures; fee

- (a) Any person(s) seeking a permit under Section 4(b) shall make an application in writing to the Board of Selectmen. The application shall specify the name and address of the applicant(s), the date, hour and location, number and ages of persons and nature of the function associated with the proposed use.
- (b) Prior to the issuance of a permit, the Board of Selectmen shall request and receive the approval or denial of any other municipal board, agency or department which has jurisdiction. Any permit or consent given under Paragraphs (a) through (d) may be revoked by the Board of Selectmen without prior notice, when, with probable cause in the opinion of the Board, a disturbance or other probable nuisance may or shall occur.
- (c) In the instance of a group or organization function, one permit may be issued to an officer or duly appointed representative of said group or organization in lieu of individual permits.
- (d) The Board of Selectmen shall not be required to issue such permit if, in its opinion, after proper investigation, it appears that a public disturbance or annoyance may be created thereby, or that the public welfare, convenience or necessity will not be subserved thereby.
- (e) There shall be a charge imposed of two dollars (\$2.00) for the issuance of such permits thereby to the Town of Brookline through the Board of Selectmen, such permit to be in a form duly determined by the Board of Selectmen.
- (f) A permit issued in accordance with the terms of this Section shall be valid only for the date, time, place and individuals or groups set forth in the approved application.

Anyone found guilty of violation of the Bylaw shall be punished by a fine of not more than fifty dollars (\$50.00) for each such violation.

On motion of Edward Novakoff, duly seconded, it was:

*Voted:* To amend the Bylaws of the Town by adding a new Article as follows:

ARTICLE XXXVII

Prohibiting Consumption of Alcoholic Beverages — Public Ways

- 1. No person shall drink any alcoholic beverages as defined in Chapter 138, Section 1 of the Massachusetts General Laws while in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, or private land without the consent of the owner or person in control thereof. All alcoholic beverages being used in violation of this ordinance shall be seized and safely held until final adjudication of the charge against the person or persons arrested or summoned before the court, at which time they shall be returned to the person entitled to lawful possession.
- 2. Whoever violates any provision of this By-Law shall be liable to a penalty not exceeding fifty dollars (\$50.00) for each offense.
- 3. Whoever remains in, on, or upon any premises described herein in willful violation of this By-Law may be arrested without a warrant, in accordance with Chapter 272, Section 59 of the General Laws by an officer authorized to serve criminal process in the place where the offense is committed, if such person is unknown to such officer.
- 4. The prohibition shall apply in, on or outside of an automobile or other motor vehicle but shall not apply in or upon:
  - (A) Any private parking lot or private way to which the public has access where prior consent has been obtained from the owner or authorized person in control thereof, and provided further that no disturbance or annoyance is created thereby.
  - (B) Any public property specified in Section 1 where prior written consent has been issued from the Board of Selectmen in accordance with the provisions of Section 5 and provided that no disturbance or annoyance is created thereby.

5. Permits for the public consumption of alcoholic beverages; procedures; fee

- (a) Any person(s) seeking a permit under Section 4(b) shall make an application in writing to the Board of Selectmen. The application shall specify the name and address of the applicant(s), the date, hour and location, number and ages of persons and nature of the function associated with the proposed use.
- (b) Prior to the issuance of a permit, the Board of Selectmen shall request and receive the approval or denial of any other municipal board, agency or department which has jurisdiction. Any permit or consent given under Paragraphs (a) through (d) may be revoked by the Board of Selectmen without prior notice, when, with probable cause in the opinion of the Board, a disturbance or other probable nuisance may or shall occur.
- (c) In the instance of a group or organization function, one permit may be issued to an officer or duly appointed representative of said group or organization in lieu of individual permits.
- (d) The Board of Selectmen shall not be required to issue such permit if, in its opinion, after proper investigation, it appears that a public disturbance or annoyance may be created thereby, or that the public welfare, convenience or necessity will not be subserved thereby.

(e) There shall be a charge imposed of two dollars (\$2.00) for the issuance of such permits thereby to the Town of Brookline through the Board of Selectmen, such permit to be in a form duly determined by the Board of Selectmen.

(f) A permit issued in accordance with the terms of this Section shall be valid only for the date, time, place and individuals or groups set forth in the approved application.

Anyone found guilty of violation of this By-Law shall be punished by a fine of not more than fifty dollars (\$50.00) for each such violation.

The vote was taken by count, seventy-six (76) voted in the affirmative and sixty-eight (68) voted in the negative, was so declared by the Moderator, and is so recorded.

A motion for reconsideration by Roy Brown, duly seconded, failed to receive a majority vote.

**NINETEENTH ARTICLE.** To see if the Town will petition and/or approve the filing of a petition to the General Court in substantially the following form:

**AN ACT ALLOWING THE TOWN OF BROOKLINE TO DETERMINE THE COMPENSATION OF THE TOWN CLERK AND THE TOWN TREASURER AT TIMES OTHER THAN AT THE ANNUAL TOWN MEETING.**

**SECTION I.** Notwithstanding the provisions of any General or Special Law, or Bylaw to the contrary, the Town of Brookline may determine the compensation of the Town Clerk and the Town Treasurer at times other than at the Annual Town Meeting.

or take any other action with respect thereto.

A motion by Robert C. Cochrane, Jr., duly seconded, for the adoption of this Article as printed, was defeated. The vote was taken by count, sixty-two (62) voted in the affirmative and sixty-nine (69) voted in the negative, was so declared by the Moderator, and is so recorded.

At fifty-seven minutes after eleven o'clock on motion duly made and seconded, it was unanimously:

*Voted:* That the Special Town Meeting be dissolved.

Our thanks to Karen Maginnis, Debbie Piltch, Lorenzo Benet, Richard Piltch, John Benet and Edwin Benet, Brookline High School Students, who facilitated the use of the microphones by the Town Meeting Members.

At the close of the meeting the checkers reported the names of one hundred and eighty-two (182) Town Meeting Members had been checked as present at the meeting.

Dissolved:

Thomas F. Larkin  
Town Clerk

## WARRANT

### The Commonwealth of Massachusetts

Norfolk, ss.

To any Constable of the Town of Brookline,  
Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on

**TUESDAY, the Sixteenth Day  
of December, 1975**

at seven-thirty o'clock in the evening for the following purposes, to wit:

**FIRST ARTICLE.** To see if the Town will vote to revoke the acceptance of Chapter 842 of the Acts of 1970 and to amend the Bylaws of the Town of Brookline by adding thereto the following new Article XXXVIII:

**"Rent and Eviction Control"**

**Section 1. Declaration of Emergency.**

The Town of Brookline, acting by and through its Town Meeting, finds and declares that a serious public emergency exists in the Town of Brookline with respect to the housing of a substantial number of the citizens of said town, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents; that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed income; that such emergency should be met by the Town of Brookline immediately and with due regard for the rights and responsibilities of its citizens, and that this by-law is adopted under, and by accepting, the provisions of Chapter 843 of the Acts of 1970.

Section 2. This by-law shall take effect on January 1, 1976 and may be revoked by the town in the same manner as it was accepted.

**Section 3. Definitions.**

The following words or phrases as used in this by-law shall have the following meanings:

(a) "Rental units", any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, rooming or boarding house units, and other properties used for living or dwelling purposes, together with all services connected with the use or occupancy of such property.

(b) "Controlled rental units", all rental units except:

(1) rental units in hotels, motels, inns, tourist homes and rooming or boarding houses which are rented primarily to transient guests for a period of less than fourteen consecutive days;

(2) rental units the construction of which was completed on or after January one, nineteen hundred and sixty-nine, or which are housing units created by conversion from a nonhousing to a housing use on or after said date;

(3) rental units which a governmental unit, agency, or authority either:

(i) owns or operates; or

(ii) regulates the rents, other than units regulated (a) under the provisions of this act, or (b) under the provisions of chapter seven hundred and ninety-seven of the acts of nineteen hundred and sixty-nine and any act in amendment thereof or in addition thereto, or (c) under the provisions of any other general or special law authorizing municipal control of rental levels for all or certain rental units within a municipality; or

(iii) finances or subsidizes, if the imposition of rent control would result in the cancellation or withdrawal, by law, of such financing or subsidy;

(4) rental units in cooperatives;

(5) rental units in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes; or nursing home or rest home or charitable home for the aged, not organized or operated for profit;

(6) the rental unit or units in an owner-occupied two-family or three-family house;

(7) that the Town, after accepting the provisions of this by-law, may exempt those rental units for which the rent charges exceeds limits specified by it; provided that in no event shall more than twenty-five per cent of the total rent-controlled units in the Town of Brookline be exempted under this subsection.

(c) "Rent", the consideration, including any bonus, benefits, or gratuity demanded or received for or in connection with the use or occupancy of rental units or the transfer of a lease of such rental units.

(d) "Services", repairs, replacement, maintenance, painting, providing light, heat, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, parking, and any other benefit, privilege or facility connected with the use or occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

(e) "Landlord", includes an owner, lessor, sub-lessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any controlled rental unit, or an agent of any of the foregoing.

(f) "Tenant", includes a subtenant, lessee, sub-lessee or other person entitled to the possession, use or occupancy of any controlled rental unit.

(g) "Person", includes an individual, corporation, partnership, association or any other organized group of persons, a legal successor or representative of the foregoing.

#### Section 4. Rent Control Board.

(a) The Selectmen shall appoint a Rent Control Board consisting of not less than seven nor more than twelve members, as determined by the Board of Selectmen, and for such terms as the Selectmen shall determine. At least two of said members shall be representatives of landlords and two members representatives of tenants. The members shall serve at the pleasure of the Selectmen. In the event a rent control board is established pursuant to any other law, the Selectmen may appoint the rent control board established under said law as the Rent Control Board under this by-law.

(b) Members of the rent control board shall receive no compensation for their services, but shall be reimbursed by the town for necessary expenses incurred in the performance of their duties.

(c) The rent control board, hereinafter called the board, shall be responsible for carrying out the provisions of this by-law, and shall hire, with the approval of the Selectmen, such personnel as are needed, shall promulgate such policies, rules and regulations as will further the provisions of this article and shall recommend to the town for adoption such by-laws as may be necessary to carry out the purposes of this by-law.

(d) The Board may make such studies and investigations, conduct such hearings, and obtain such information as is deemed necessary in promulgating any regulation, rule or order under this by-law, or in administering and enforcing this by-law and regulations and orders promulgated hereunder. For the foregoing purposes, a person may be summoned to attend and testify and to produce books and papers in like manner as he may be summoned to attend as a witness before a court. Any person who rents or offers for rent or acts as broker or agent for the rental of any controlled rental unit may be required to furnish under oath any information required by the board and to produce records and other documents and make reports. Such persons shall have the right to be represented by counsel, and a transcript shall be taken of all testimony and such person shall have the right to examine said transcript at reasonable times and places. Section ten of chapter two hundred and thirty-three of the General Laws shall apply.

(e) The board shall have the power to issue orders and promulgate regulations to effectuate the purposes of this by-law.

#### Section 5. Maximum Rent.

(a) The maximum rent of a controlled rental unit shall be the maximum rent previously established for that unit by the rent control board under Chapter 842 of the Acts of 1970. If the rental unit was not a controlled rental unit at the time of the effective date of this by-law, but subsequently becomes a controlled rental unit, the maximum rent of said unit shall be the rent charged the occupant for the month six months prior to the date on which said unit became a controlled rental unit, or if unoccupied at that time, the maximum rent shall be the rent charged therefor for the month closest to six months prior to the date on which said unit became a controlled rental unit. If the maximum rent is not otherwise established, it shall be established by the board. Any maximum rent may be subsequently adjusted under the provisions of section six of this by-law.

(b) the board shall require registration of all controlled rental units on forms authorized or to be provided by said Board.

#### Section 6. Standards for Adjusting Rents.

(a) The rent board shall make such individual or general adjustments, either upward or downward, of the maximum rent for any controlled rental unit or any class of controlled rental units as may be necessary to assure that rents for controlled rental units are established at levels which yield to landlords a fair net operating income for such units. For the purposes of this section, the word "class" shall include all the controlled rental units within the town or any categories of such rental units based on size, age, construction, rent, geographic area or other common characteristics, providing the board has by regulation defined any such categories.

(b) The following factors, among other relevant factors, which the board by regulation may define, shall be considered in determining whether a controlled rental unit yields a fair net operating income:

- (1) increases or decreases in property taxes;
- (2) unavoidable increases or any decreases in operating and maintenance expenses;
- (3) capital improvement of the housing unit as distinguished from ordinary repair, replacement and maintenance;
- (4) increases or decreases in living space, services, furniture, furnishings or equipment;
- (5) substantial deterioration of the housing units other than as a result of ordinary wear and tear; and
- (6) failure to perform ordinary repair, replacement and maintenance.

(c) For the purpose of adjusting rents under the provisions of this section, the rent board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.

(d) The rent board may refuse to grant a rent increase under this section, if it determines that the affected rental unit does not comply with the state sanitary code and any applicable municipal codes, ordinances or by-laws, and if it determines that such lack of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. The rent board may refuse to grant a rent decrease under this section, if it determines that a tenant is more than sixty days in arrears in payment of rent unless such arrearage is due to a withholding of rent under the provisions of section eight A of chapter two hundred and thirty-nine of the General Laws.

(e) The board may remove maximum rental levels, established under this section and section five, for any class of controlled rental units if in its judgment the need for continuing such maximum rental levels no longer exists because of sufficient construction of new rental units the rental levels for which are comparable to the rental levels of the class of controlled rental units for which maximum rental levels are to be discontinued or because the demand for rental units has been otherwise met. Any maximum rental level removed under this paragraph shall be reimposed or adjusted and reimposed upon a finding by the rent board that a substantial shortage of rental units exists in the town and that the reimposition of rent control is necessary in the public interest. Any action under this paragraph shall be subject to the hearing and notice requirements of paragraph (b) of section seven.

#### Section 7. Rent Adjustment Hearings.

(a) The board shall consider an adjustment of rent for an individual controlled rental unit upon receipt of a petition for adjustment filed by the landlord or tenant of such unit or upon its own initiative. The board shall notify the landlord, if the petition was filed by the tenant, or the tenant, if the petition was filed by the landlord, of the receipt of such petition and of the right of either party to request a hearing. If a hearing is requested by either party, or if the action is undertaken on the initiative of the board, the hearing shall be conducted before at least one member of the board prior to the decision by the board to grant or refuse a rental adjustment. Notice of the time and place of the hearing shall be furnished to the landlord and tenant. The board may consolidate petitions relating to controlled rental units in the same building, and all such petitions may be considered in a single hearing.

(b) On its own initiative, the board may make a general adjustment, by percentage, of the rental levels for any class of controlled rental units within the town. Prior to making such adjustment, a public hearing shall be held before at least a majority of the board. Notice that an adjustment is under consideration, a description of the class of rental units which would be affected by the adjustment, and the time and place of said public hearing shall be published three times in at least one newspaper having a general circulation within the town.

(c) Notwithstanding any other provision of this section, the board may, without holding a hearing, refuse to adjust a rent level for an individual rental unit if a hearing has been held with regard to the rental level of such unit within twelve months.

(d) Hearings required by paragraph (a) shall be conducted in accordance with the provisions of section eleven of chapter thirty A of the General Laws.

#### Section 8. Incorporation of Administrative Procedure Act

The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section four, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

Section 9. Evictions.

(a) No person shall bring any action to recover possession of a controlled rental unit unless:

- (1) the tenant has failed to pay the rent to which the landlord is entitled;
- (2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord;
- (3) the tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety or enjoyment of the landlord or other occupants of the same or any adjacent accommodation;
- (4) the tenant is convicted of using or permitting a controlled rental unit to be used for any illegal purpose;
- (5) the tenant, who had a written lease or rental agreement which terminated on or after this by-law has taken effect in the Town of Brookline, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms that are not inconsistent with or violative of any provisions of this by-law;
- (6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws of the United States, the commonwealth, or any political subdivision thereof, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee;
- (7) the person holding at the end of a lease term is a sub-tenant not approved by the landlord;
- (8) the landlord seeks to recover possession in good faith for use and occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law;
- (9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; and
- (10) the landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purposes of this act.

(b) A landlord seeking to recover possession of a controlled rental unit shall apply to the board for a certificate of eviction. Upon receipt of such an application, the board shall send a copy of the application to the tenant of the controlled rental unit together with a notification of all rights and procedures available under this section. If the board finds that the facts attested to in the landlord's petition are valid and in compliance with paragraph (a), the certificate of eviction shall be issued.

(c) A landlord who seeks to recover possession of a controlled rental unit without obtaining such certificate of eviction shall be deemed to have violated this by-law, and the board may initiate a criminal prosecution for such violation.

(d) Notwithstanding the provisions of this section the United States, the commonwealth, or any agency or political subdivision thereof, may maintain an action or proceeding to recover possession of any rental unit operated by it if such action or proceeding is authorized by the statute or regulation under which such units are administered.

(e) The provisions of this section shall be construed as additional restrictions on the right to recover possession of a controlled rental unit. No provision of this section shall entitle any person to recover possession of such a unit.

(f) The board may issue orders which shall be a defense to an action of summary process for possession and such orders shall be reviewable as herein provided.

Section 10. Conference of Jurisdiction.

(a) The Brookline municipal court shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws.

(b) The superior court shall have jurisdiction in equity to enforce the provisions of these by-laws, and any amendments or additions thereto, and may restrain by injunctions violations thereof.

Section 11. Civil Remedies.

(a) Any person who demands, accepts, receives or retains any payment of rent in excess of the maximum lawful rent, in violation of the provisions of this by-law or any regulation or order hereunder promulgated, shall be liable as hereinafter provided to the person from whom such payment is demanded, accepted, received or retained, or to the Town of Brookline for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of one hundred dollars, or not more than three times the amount by which the payment or payments demanded, accepted, received or retained, exceed the maximum rent which could be lawfully demanded, accepted, received or retained, whichever is the greater; provided that if the defendant proves that the violation was neither willful nor the resu. of failure to take practicable precautions against the occurrence of the violation, the amount of such liquidated damages shall be the amount of the overcharge or overcharges.

(b) If the person from whom such payment is demanded, accepted, received or retained in violation of the provisions of this by-law or any rule or regulation hereunder promulgated fails to bring an action under this section within thirty days from the date of the occurrence of the violation, the board may either settle the claim arising out of the violation or bring such action. Settlement by the board shall thereafter bar any other person from bringing action for the violation or violations with regard to which a settlement has been reached. If the board settles said claim, it shall be entitled to retain the costs it incurred in the settlement thereof, and the person against whom the violation was committed shall be entitled to the remainder. If the board brings action under the provisions of this section, it shall be entitled to receive attorney's fees and costs under the provisions of paragraph (a) and the person against whom the violation was committed shall be awarded liquidated damages under said paragraph (a).

(c) A judgment for damages or on the merits in any action under this section shall be a bar to any recovery under this section in any other action against the same defendant on account of any violation with respect to the same person prior to the institution of the action in which such judgment was rendered. Action to recover liquidated damages under the provisions of this section shall not be brought later than one year after the date of the violation. A single action for damages under the provisions of this section may include all violations of the provisions of this section committed by the same defendant against the same person.

#### Section 12. Criminal Penalties.

(a) It shall be unlawful for any person to demand, accept, receive or retain any rent for the use or occupancy of any controlled rental unit in excess of the maximum rent prescribed therefor under the provisions of this by-law or any order or regulation hereunder promulgated, or otherwise to do or omit to do any action in violation of the provisions of this by-law or any order or regulation hereunder promulgated.

(b) It shall be unlawful for any person to demand, accept, receive or retain any payment which exceeds the maximum lawful rent for one month as a finder's fee or service charge for the opportunity to examine or lease any controlled rental unit, and no finder's fee or service charge shall be lawful unless the person from whom the payment is demanded, accepted, received or retained actually rents or leases the controlled rental unit with regard to which payment of said fee or said charge has been demanded, accepted, received or retained.

(c) The violation of any provision of this by-law or any order of the rent board shall be punishable by a fine of not more than \$1,000 for any one offense.

#### Section 13. Exemption from Civil Service.

The personnel of the rent board established under section four shall not be subject to the provisions of section nine A of chapter thirty of the General Laws or chapter thirty-one of the General Laws.

#### Section 14. Severability.

If any provision of this by-law or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this by-law and the application of such provision to other persons or circumstances shall not be affected thereby.",

or act on anything relative thereto.

**SECOND ARTICLE.** To see if the Town will vote to accept any amendments or additions to Chapter 842 of the Acts of 1970, or act on anything relative thereto.

**THIRD ARTICLE.** To see if the Town will vote to appropriate and transfer \$6,000.00, or any other sum, from the unencumbered balance in the account entitled "Schematic Plans — Brookline Avenue Recreation Center" to a special account for a Feasibility Study for the Rehabilitation and Modification of the James J. Lynch Recreation Center, or act on anything relative thereto.

**FOURTH ARTICLE.** To see if the Town will vote to modify, rescind or augment the appropriation, voted under Article 10 in the warrant for the November 18, 1975, Special Town Meeting, and, appropriate from available funds, an additional sum, to be expended by the Building Commission with the approval of the Selectmen, for studies, plans and specifications for correction of acoustical and masonry problems at the new Pierce School, and appropriate from available funds a sum of money to reimburse the School Committee for funds expended for any such purposes, or act on anything relative thereto.

**FIFTH ARTICLE.** To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire, in fee simple, or a lesser interest therein, by purchase or by a taking by eminent domain, for conservation purposes, the land situated on the easterly side of Amory Street shown as Block 12, Lot 3, containing 68,640 square feet, and described on a plan entitled: "Plan of Land in Brookline, Mass.", dated: November 6, 1975, by the Commissioner of Public Works, a copy of which is on file in the Town Clerk's Office, which plan is incorporated herein by reference, and to appropriate therefor, and all expenses in connection therewith, a sum of money, and to determine whether the same shall be provided by an appropriation from available funds, by borrowing, or by any combination of the foregoing, and to authorize and empower the Conservation Commission to enter into agreements with state and federal agencies for financial and other assistance in connection with the acquisition of said land, or act on anything relative thereto.

**SIXTH ARTICLE.** To see if the Town will vote to authorize and empower the Selectmen to acquire, in fee simple, or a lesser interest therein, by purchase or by a taking by eminent domain, for park and playground purposes, the land situated on the easterly side of Amory Street, shown as Block 12, Lot 1, containing 25,476 square feet, and described on a plan entitled: "Plan of Land in Brookline, Mass.", dated: November 7, 1975, by the Commissioner of Public Works, a copy of which is on file in the Town Clerk's Office, which plan is incorporated herein by reference, and to appropriate therefor, and all expenses in connection therewith, a sum of money and to determine whether the same shall be provided by an appropriation from available funds, by borrowing, or by any combination of the foregoing, and to authorize and empower the Park and Recreation Commission to enter into agreements with state and federal agencies for financial and other assistance in connection with the acquisition of said land and the development and operation of park and recreational facilities on said land, or act on anything relative thereto.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this first day of December, in the year of our Lord one thousand nine hundred and seventy-five.

Robert C. Cochrane, Jr.  
Herbert Abrams  
Eleanor Myerson  
Edward Novakoff

Board of Selectmen

## OFFICER'S RETURN

Norfolk, ss.

Brookline, December 5, 1975

By virtue of this Warrant, I this day notified and warned the Inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 7:30 P.M., Tuesday, December 16, 1975, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of December 4, 1975, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

John P. McElroy  
Constable

I hereby certify that at least seven days before the time of the meeting I notified the Town Meeting Members by letter and copies of the Warrant being mailed on December 5, 1975 and copies of the Selectmen and Advisory Committee reports being mailed on December 8, 1975, to the last known address of said members.

Attest:

Thomas F. Larkin  
Town Clerk

## TOWN OF BROOKLINE Massachusetts

December 5, 1975

To Town Meeting Members:

In accordance with the General Laws Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held on Tuesday, December 16, 1975 at 7:30 P.M.

The meeting will be held in the Auditorium of Brookline High School.

In the event the meeting is not completed on that night Wednesday, December 17, 1975 has been reserved for a recessed meeting.

Very truly yours,  
Thomas F. Larkin  
Town Clerk

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Article No.	Subject
1	Rent and Eviction Control, amendment to Town Bylaws
2	Rent and Eviction Control, acceptance of amendments to C. 842, Acts 1970
3	Lynch Recreation Center, Feasibility Study — Transfer of Funds — \$6,000
4	New Pierce School, acoustical and masonry work
5	St. Dominic's Institute, Inc., acquisition of land (conservation purposes)
6	St. Dominic's Institute, Inc., acquisition of land (playground purposes)

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## SPECIAL TOWN MEETING

December 16, 1975

Pursuant to the Warrant of the Selectmen, served according to law upon the inhabitants of the Town of Brookline by a Constable of said Town, and written notices sent by the Town Clerk at least seven days before the day of the meeting to Town Meeting Members qualified to act in Town Meetings in Brookline under the provisions of Chapter 43A of the General Laws, as amended, accepted by the Town of Brookline March 10, 1942, the Town Meeting Members, so qualified, met at the High School Auditorium in said Town on Tuesday, the sixteenth day of December, 1975 at half past seven in the evening.

Lists of duly qualified Town Meeting Members were used at the entrances to the meeting place and were in charge of Edward M. Kelly, Joseph F. Egan, Richard Boffa, Richard J. Nyhan and Vinson T. Rasta, checkers, who were sworn to the faithful performance of their duties. The list contained the names of two hundred fifty-nine (259) Town Meeting Members qualified to participate in and vote in Town Meetings in Brookline. No Town Meeting Members were allowed within the rails until their names had been checked on the list.

At forty minutes past seven o'clock the checkers reported that one hundred thirty-six (136) names of Town Meeting Members had been checked, or more than one-half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

The Moderator appointed the following members as tellers, Martha G. Edmondson, George V. Brown, Jr., Maurice Davis, J. Robert Morse, Mary M. Joyce and Arnold Zieff. They were sworn to the faithful performance of their duties by the Town Clerk.

**FIRST ARTICLE.** To see if the Town will vote to revoke the acceptance of Chapter 842 of the Acts of 1970 and to amend the Bylaws of the Town of Brookline by adding thereto the following new Article XXXVIII:

### "Rent and Eviction Control"

**SECTION 1. Declaration of Emergency.** The Town of Brookline, acting by and through its Town Meeting, finds and declares that a serious public emergency exists in the Town of Brookline with respect to the housing of a substantial number of the citizens of said town, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents; that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed income; that such emergency should be met by the Town of Brookline immediately and with due regard for the rights and responsibilities of its citizens, and that this by-law is adopted under, and by accepting, the provisions of Chapter 843 of the Acts of 1970.

**SECTION 2.** This by-law shall take effect on January 1, 1976 and may be revoked by the town in the same manner as it was accepted.

**SECTION 3. Definitions.** The following words or phrases as used in this by-law shall have the following meanings:

- (a) "Rental units", any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, rooming or boarding house units, and other properties used for living or dwelling purposes, together with all services connected with the use or occupancy of such property.

(b) "Controlled rental units", all rental units except:

(1) rental units in hotels, motels, inns, tourist homes and rooming or boarding houses which are rented primarily to transient guests for a period of less than fourteen consecutive days;

(2) rental units the construction of which was completed on or after January one, nineteen hundred and sixty-nine, or which are housing units created by conversion from a nonhousing to a housing use on or after said date;

(3) rental units which a governmental unit, agency, or authority either:

(i) owns or operates; or

(ii) regulates the rents, other than units regulated (a) under the provisions of this act, or (b) under the provisions of chapter seven hundred and ninety-seven of the acts of nineteen hundred and sixty-nine and any act in amendment thereof or in addition thereto, or (c) under the provisions of any other general or special law authorizing municipal control of rental levels for all or certain rental units within a municipality; or

(iii) finances or subsidizes, if the imposition of rent control would result in the cancellation or withdrawal, by law, of such financing or subsidy;

(4) rental units in cooperatives;

(5) rental units in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes; or nursing home or rest home or charitable home for the aged, not organized or operated for profit;

(6) the rental unit or units in an owner-occupied two-family or three-family house;

(7) that the Town, after accepting the provisions of this by-law, may exempt those rental units for which the rent charges exceeds limits specified by it; provided that in no event shall more than twenty-five per cent of the total rent-controlled units in the Town of Brookline be exempted under this subsection.

(c) "Rent", the consideration, including any bonus, benefits, or gratuity demanded or received for or in connection with the use or occupancy of rental units or the transfer of a lease of such rental units.

(d) "Services", repairs, replacement, maintenance, painting, providing light, heat, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, parking, and any other benefit, privilege or facility connected with the use or occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

(e) "Landlord", includes an owner, lessor, sub-lessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any controlled rental unit, or an agent of any of the foregoing.

(f) "Tenant", includes a subtenant, lessee, sub-lessee or other person entitled to the possession, use or occupancy of any controlled rental unit.

(g) "Person", includes an individual, corporation, partnership, association or any other organized group of persons, a legal successor or representative of the foregoing.

#### SECTION 4. Rent Control Board.

(a) The Selectmen shall appoint a Rent Control Board consisting of not less than seven nor more than twelve members, as determined by the Board of Selectmen, and for such terms as the Selectmen shall determine. At least two of said members shall be representatives of landlords and two members representatives of tenants. The members shall serve at the pleasure of the Selectmen. In the event a rent control board is established pursuant to any other law, the Selectmen may appoint the rent control board established under said law as the Rent Control Board under this by-law.

(b) Members of the rent control board shall receive no compensation for their services, but shall be reimbursed by the town for necessary expenses incurred in the performance of their duties.

(c) The rent control board, hereinafter called the board, shall be responsible for carrying out the provisions of this by-law, and shall hire, with the approval of the Selectmen, such personnel as are needed, shall promulgate such policies, rules and regulations as will further the provisions of this article and shall recommend to the town for adoption such by-laws as may be necessary to carry out the purposes of this by-law.

(d) The Board may make such studies and investigations, conduct such hearings, and obtain such information as is deemed necessary in promulgating any regulation, rule or order under this by-law, or in administering and enforcing this by-law and regulations and orders promulgated hereunder. For the foregoing purposes, a person may be summoned to attend and testify and to produce books and papers in like manner as he may be summoned to attend as a witness before a court. Any person who rents or offers for rent or acts as broker or agent for the rental of any controlled rental unit may be required to furnish under oath any information required by the board and to produce records and other documents and make reports. Such persons shall have the right to be represented by counsel, and a transcript shall be taken of all testimony and such person shall have the right to examine said transcript at reasonable times and places. Section ten of chapter two hundred and thirty-three of the General Laws shall apply.

(e) The board shall have the power to issue orders and promulgate regulations to effectuate the purposes of this by-law.

#### SECTION 5. Maximum Rent.

(a) The maximum rent of a controlled rental unit shall be the maximum rent previously established for that unit by the rent control board under Chapter 842 of the Acts of 1970. If the rental unit was not a controlled rental unit at the time of the effective date of this by-law, but subsequently becomes a controlled rental unit, the maximum rent of said unit shall be the rent charged the occupant for the month six months prior to the date on which said unit became a controlled rental unit, or if unoccupied at that time, the maximum rent shall be the rent charged therefor for the month closest to six months prior to the date on which said unit became a controlled rental unit. If the maximum rent is not otherwise established, it shall be established by the board. Any maximum rent may be subsequently adjusted under the provisions of section six of this by-law.

(b) The board shall require registration of all controlled rental units on forms authorized or to be provided by said Board.

#### SECTION 6. Standards for Adjusting Rents.

(a) The rent board shall make such individual or general adjustments, either upward or downward, of the maximum rent for any controlled rental unit or any class of controlled rental units as may be necessary to assure that rents for controlled rental units are established at levels which yield to landlords a fair net operating income for such units. For the purposes of this section, the word "class" shall include all the controlled rental units within the town or any categories of such rental units based on size, age, construction, rent, geographic area or other common characteristics, providing the board has by regulation defined any such categories.

(b) The following factors, among other relevant factors, which the board by regulation may define, shall be considered in determining whether a controlled rental unit yields a fair net operating income:

- (1) increases or decreases in property taxes;
- (2) unavoidable increases or any decreases in operating and maintenance expenses;
- (3) capital improvement of the housing unit as distinguished from ordinary repair, replacement and maintenance;
- (4) increases or decreases in living space, services, furniture, furnishings or equipment;
- (5) substantial deterioration of the housing units other than as a result of ordinary wear and tear;
- (6) failure to perform ordinary repair, replacement and maintenance.

(c) For the purpose of adjusting rents under the provisions of this section, the rent board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.

(d) The rent board may refuse to grant a rent increase under this section, if it determines that the affected rental unit does not comply with the state sanitary code and any applicable municipal codes, ordinances or by-laws, and if it determines that such lack of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. The rent board may refuse to grant a rent decrease under this section, if it determines that a tenant is more than sixty days in arrears in payment of rent unless such arrearage is due to a withholding of rent under the provisions of section eight A of chapter two hundred and thirty-nine of the General Laws.

(e) The board may remove maximum rental levels, established under this section and section five, for any class of controlled rental units if in its judgment the need for continuing such maximum rental levels no longer exists because of sufficient construction of new rental units the rental levels for which are comparable to the rental levels of the class of controlled rental units for which maximum rental levels are to be discontinued or because the demand for rental units has been otherwise met. Any maximum rental level removed under this paragraph shall be reimposed or adjusted and reimposed upon a finding by the rent board that a substantial shortage of rental units exists in the town and that the reimposition of rent control is necessary in the public interest. Any action under this paragraph shall be subject to the hearing and notice requirements of paragraph (b) of section seven.

#### SECTION 7. Rent Adjustment Hearings.

(a) The Board shall consider an adjustment of rent for an individual controlled rental unit upon receipt of a petition for adjustment filed by the landlord or tenant of such unit or upon its own initiative. The board shall notify the landlord, if the petition was filed by the tenant, or the tenant, if the petition was filed by the landlord, of the receipt of such petition and of the right of either party to request a hearing. If a hearing is requested by either party, or if the action is undertaken on the initiative of the board, the hearing shall be conducted before at least one member of the board prior to the decision by the board to grant or refuse a rental adjustment. Notice of the time and place of the hearing shall be furnished to the landlord and tenant. The board may consolidate petitions relating to controlled rental units in the same building, and all such petitions may be considered in a single hearing.

(b) On its own initiative, the board may make a general adjustment, by percentage, of the rental levels for any class of controlled rental units within the town. Prior to making such adjustment, a public hearing shall be held before at least a majority of the board. Notice that an adjustment is under consideration, a description of the class of rental units which would be affected by the adjustment, and the time and place of said public hearing shall be published three times in at least one newspaper having a general circulation within the town.

(c) Notwithstanding any other provision of this section, the board may, without holding a hearing, refuse to adjust a rent level for an individual rental unit if a hearing has been held with regard to the rental level of such unit within twelve months.

(d) Hearings required by paragraph (a) shall be conducted in accordance with the provisions of section eleven of chapter thirty A of the General Laws.

#### SECTION 8. Incorporation of Administrative Procedure Act

The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section four, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

#### SECTION 9. Evictions.

(a) No person shall bring any action to recover possession of a controlled rental unit unless:

- (1) the tenant has failed to pay the rent to which the landlord is entitled;
- (2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord;
- (3) the tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety or enjoyment of the landlord or other occupants of the same or any adjacent accommodation;
- (4) the tenant is convicted of using or permitting a controlled rental unit to be used for any illegal purpose;
- (5) the tenant, who had a written lease or rental agreement which terminated on or after this by-law has taken effect in the Town of Brookline, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms that are not inconsistent with or violative of any provisions of this by-law;

(6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws of the United States, the commonwealth, or any political subdivision thereof, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee;

(7) the person holding at the end of a lease term is a sub-tenant not approved by the landlord;

(8) the landlord seeks to recover possession in good faith for use and occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law;

(9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; and

(10) the landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purposes of this act.

(b) A landlord seeking to recover possession of a controlled rental unit shall apply to the board for a certificate of eviction. Upon receipt of such an application, the board shall send a copy of the application to the tenant of the controlled rental unit together with a notification of all rights and procedures available under this section. If the board finds that the facts attested to in the landlord's petition are valid and in compliance with paragraph (a), the certificate of eviction shall be issued.

(c) A landlord who seeks to recover possession of a controlled rental unit without obtaining such certificate of eviction shall be deemed to have violated this by-law, and the board may initiate a criminal prosecution for such violation.

(d) Notwithstanding the provisions of this section the United States, the commonwealth, or any agency or political subdivision thereof, may maintain an action or proceeding to recover possession of any rental unit operated by it if such action or proceeding is authorized by the statute or regulation under which such units are administered.

(e) The provisions of this section shall be construed as additional restrictions on the right to recover possession of a controlled rental unit. No provision of this section shall entitle any person to recover possession of such a unit.

(f) The board may issue orders which shall be a defence to an action of summary process for possession and such orders shall be reviewable as herein provided.

#### SECTION 10. Conference of Jurisdiction.

(a) The Brookline municipal court shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws.

(b) The superior court shall have jurisdiction in equity to enforce the provisions of these by-laws, and any amendments or additions thereto, and may restrain by injunctions violations thereof.

#### SECTION 11. Civil Remedies.

(a) Any person who demands, accepts, receives or retains any payment of rent in excess of the maximum lawful rent, in violation of the provisions of this by-law or any regulation or order hereunder promulgated, shall be liable as hereinafter provided to the person from whom such payment is demanded, accepted, received or retained, or to the Town of Brookline for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of one hundred dollars, or not more than three times the amount by which the payment or payments demanded, accepted, received or retained, exceed the maximum rent which could be lawfully demanded, accepted, received or retained, whichever is the greater; provided that if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation, the amount of such liquidated damages shall be the amount of the overcharge or overcharges.

(b) If the person from whom such payment is demanded, accepted, received or retained in violation of the provisions of this by-law or any rule or regulation hereunder promulgated fails to bring an action under this section within thirty days from the date of the occurrence of the violation, the board may either settle the claim arising out of the violation or bring such action. Settlement by the board shall thereafter bar any other person from bringing action for the violation or violations with regard to which a settlement has been reached. If the board settles said claim, it shall be entitled to retain the costs it incurred in the settlement thereof, and the person against whom the violation was committed shall be entitled to the remainder. If the board brings action under the provisions of this section, it shall be entitled to receive attorney's fees and costs under the provisions of paragraph (a) and the person against whom the violation was committed shall be awarded liquidated damages under said paragraph (a).

(c) A judgment for damages or on the merits in any action under this section shall be a bar to any recovery under this section in any other action against the same defendant on account of any violation with respect to the same person prior to the institution of the action in which such judgment was rendered. Action to recover liquidated damages under the provisions of this section shall not be brought later than one year after the date of the violation. A single action for damages under the provisions of this section may include all violations of the provisions of this section committed by the same defendant against the same person.

**SECTION 12. Criminal Penalties.**

(a) It shall be unlawful for any person to demand, accept, receive or retain any rent for the use or occupancy of any controlled rental unit in excess of the maximum rent prescribed therefor under the provisions of this by-law or any order or regulation hereunder promulgated, or otherwise to do or omit to do any action in violation of the provisions of this by-law or any order or regulation hereunder promulgated.

(b) It shall be unlawful for any person to demand, accept, receive or retain any payment which exceeds the maximum lawful rent for one month as a finder's fee or service charge for the opportunity to examine or lease any controlled rental unit, and no finder's fee or service charge shall be lawful unless the person from whom the payment is demanded, accepted, received or retained actually rents or leases the controlled rental unit with regard to which payment of said fee or said charge has been demanded, accepted, received or retained.

(c) The violation of any provision of this by-law or any order of the rent board shall be punishable by a fine of not more than \$1,000 for any one offense.

**SECTION 13. Exemption from Civil Service.**

The personnel of the rent board established under section four shall not be subject to the provisions of section nine A of chapter thirty of the General Laws or chapter thirty-one of the General Laws.

**SECTION 14. Severability.**

If any provision of this by-law or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this by-law and the application of such provision to other persons or circumstances shall not be affected thereby."

or act on anything relative thereto.

On motion of Robert C. Cochrane, Jr., duly seconded by Robert M. Stein, it was:

*Voted:* That the Town revoke the acceptance of Chapter 842 of the Acts of 1970 or its successor, with such revocation to be effective upon the effective date of new Article XXXVIII herein set forth of the Bylaws of the Town of Brookline, and amend said Bylaws by adding thereto a new Article XXXVIII:

**"Rent and Eviction Control**

**SECTION 1. Declaration of Emergency.** The Town of Brookline, acting by and through its Town Meeting, finds and declares that a serious public emergency exists in the Town of Brookline with respect to the housing of a substantial number of the citizens of said town, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents; that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed income; that such emergency should be met by the Town of Brookline immediately and with due regard for the rights and responsibilities of its citizens, and that this by-law is adopted under, and by accepting, the provisions of Chapter 843 of the Acts of 1970.

**SECTION 2.** This by-law shall take effect on January 1, 1976 and may be revoked by the town in the same manner as it was accepted.

**SECTION 3. Definitions.** The following words or phrases as used in this by-law shall have the following meanings:

(a) "Rental units", any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, rooming or boarding house units, and other properties used for living or dwelling purposes, together with all services connected with the use or occupancy of such property.

(b) "Controlled rental units", all rental units except:

(1) rental units in hotels, motels, inns, tourist homes and rooming or boarding houses which are rented primarily to transient guests for a period of less than fourteen consecutive days;

(2) rental units the construction of which was completed on or after January one, nineteen hundred and sixty-nine, or which are housing units created by conversion from a nonhousing to a housing use on or after said date;

(3) rental units which a governmental unit, agency, or authority either:

(i) owns or operates; or

(ii) regulates the rents, other than units regulated (a) under the provisions of this act, or (b) under the provisions of chapter seven hundred and ninety-seven of the acts of nineteen hundred and sixty-nine and any act in amendment thereof or in addition thereto, or (c) under the provisions of any other general or special law authorizing municipal control of rental levels for all or certain rental units within a municipality; or

(iii) finances or subsidizes, if the imposition of rent control would result in the cancellation or withdrawal, by law, of such financing or subsidy;

(4) rental units in cooperatives;

(5) rental units in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes; or nursing home or rest home or charitable home for the aged, not organized or operated for profit;

(6) the rental unit or units in an owner-occupied two-family or three-family house;

(7) that the Town, after accepting the provisions of this by-law, may exempt those rental units for which the rent charges exceeds limits specified by it; provided that in no event shall more than twenty-five per cent of the total rent-controlled units in the Town of Brookline be exempted under this subsection.

(c) "Rent", the consideration, including any bonus, benefits, or gratuity demanded or received for or in connection with the use or occupancy of rental units or the transfer of a lease of such rental units.

(d) "Services", repairs, replacement, maintenance, painting, providing light, heat, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, parking, and any other benefit, privilege or facility connected with the use or occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

(e) "Landlord", includes an owner, lessor, sub-lessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any controlled rental unit, or an agent of any of the foregoing.

(f) "Tenant", includes a subtenant, lessee, sub-lessee or other person entitled to the possession, use or occupancy of any controlled rental unit.

(g) "Person", includes an individual, corporation, partnership, association or any other organized group of persons, a legal successor or representative of the foregoing.

#### SECTION 4. Rent Control Board.

(a) The Selectmen shall appoint a Rent Control Board consisting of not less than seven nor more than twelve members, as determined by the Board of Selectmen, and for such terms as the Selectmen shall determine. At least two of said members shall be representatives of landlords and two members representatives of tenants. The members shall serve at the pleasure of the Selectmen. In the event a rent control board is established pursuant to any other law, the Selectmen may appoint the rent control board established under said law as the Rent Control Board under this by-law.

(b) Members of the rent control board shall receive no compensation for their services, but shall be reimbursed by the town for necessary expenses incurred in the performance of their duties.

(c) The rent control board, hereinafter called the board, shall be responsible for carrying out the provisions of this by-law, and shall hire, with the approval of the Selectmen, such personnel as are needed, shall promulgate such policies, rules and regulations as will further the provisions of this article and shall recommend to the town for adoption such by-laws as may be necessary to carry out the purposes of this by-law.

(d) The Board may make such studies and investigations, conduct such hearings, and obtain such information as is deemed necessary in promulgating any regulation, rule or order under this by-law, or in administering and enforcing this by-law and regulations and orders promulgated hereunder. For the foregoing purposes, a person may be summoned to attend and testify and to produce books and papers in like manner as he may be summoned to attend as a witness before a court. Any person who rents or offers for rent or acts as broker or agent for the rental of any controlled rental unit may be required to furnish under oath any information required by the board and to produce records and other documents and make reports. Such persons shall have the right to be represented by counsel, and a transcript shall be taken of all testimony and such person shall have the right to examine said transcript at reasonable times and places. Section ten of chapter two hundred and thirty-three of the General Laws shall apply.

(e) The board shall have the power to issue orders and promulgate regulations to effectuate the purposes of this by-law.

#### SECTION 5. Maximum Rent.

(a) The maximum rent of a controlled rental unit shall be the maximum rent previously established for that unit by the rent control board under Chapter 842 of the Acts of 1970. If the rental unit was not a controlled rental unit at the time of the effective date of this by-law, but subsequently becomes a controlled rental unit, the maximum rent of said unit shall be the rent charged the occupant for the month six months prior to the date on which said unit became a controlled rental unit, or if unoccupied at that time, the maximum rent shall be the rent charged therefor for the month closest to six months prior to the date on which said unit became a controlled rental unit. If the maximum rent is not otherwise established, it shall be established by the board. Any maximum rent may be subsequently adjusted under the provisions of section six of this by-law.

(b) The board shall require registration of all controlled rental units on forms authorized or to be provided by said Board. The initial registration forms for units controlled under the jurisdiction of Chapter 842 of the Acts of 1970, as the same have been amended from time to time, shall be deemed the initial registration forms filed pursuant to this Bylaw, except where the Board finds any or all of such forms inadequate.

#### SECTION 6. Standards for Adjusting Rents.

(a) The rent board shall make such individual or general adjustments, either upward or downward, of the maximum rent for any controlled rental unit or any class of controlled rental units as may be necessary to assure that rents for controlled rental units are established at levels which yield to landlords a fair net operating income for such units. For the purposes of this section, the word "class" shall include all the controlled rental units within the town or any categories of such rental units based on size, age, construction, rent, geographic area or other common characteristics, providing the board has by regulation defined any such categories.

(b) The following factors, among other relevant factors, which the board by regulation may define, shall be considered in determining whether a controlled rental unit yields a fair net operating income:

- (1) increases or decreases in property taxes;
- (2) unavoidable increases or any decreases in operating and maintenance expenses;
- (3) capital improvement of the housing unit as distinguished from ordinary repair, replacement and maintenance;
- (4) increases or decreases in living space, services, furniture, furnishings or equipment;
- (5) substantial deterioration of the housing units other than as a result of ordinary wear and tear;
- (6) failure to perform ordinary repair, replacement and maintenance.

(c) For the purpose of adjusting rents under the provisions of this section, the rent board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.

(d) The rent board may refuse to grant a rent increase under this section, if it determines that the affected rental unit does not comply with the state sanitary code and any applicable municipal codes, ordinances or by-laws, and if it determines that such lack of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. The rent board may refuse to grant a rent decrease under this section, if it determines that a tenant is more than sixty days in arrears in payment of rent unless such arrearage is due to a withholding of rent under the provisions of section eight A of chapter two hundred and thirty-nine of the General Laws.

(e) The board may remove maximum rental levels, established under this section and section five, for any class of controlled rental units if in its judgment the need for continuing such maximum rental levels no longer exists because of sufficient construction of new rental units the rental levels for which are comparable to the rental levels of the class of controlled rental units for which maximum rental levels are to be discontinued or because the demand for rental units has been otherwise met. Any maximum rental level removed under this paragraph shall be reimposed or adjusted and reimposed upon a finding by the rent board that a substantial shortage of rental units exists in the town and that the reimposition of rent control is necessary in the public interest. Any action under this paragraph shall be subject to the hearing and notice requirements of paragraph (b) of section seven.

#### SECTION 7. Rent Adjustment Hearings.

(a) The Board shall consider an adjustment of rent for an individual controlled rental unit upon receipt of a petition for adjustment filed by the landlord or tenant of such unit or upon its own initiative. The board shall notify the landlord, if the petition was filed by the tenant, or the tenant, if the petition was filed by the landlord, of the receipt of such petition and of the right of either party to request a hearing. If a hearing is requested by either party, or if the action is undertaken on the initiative of the board, the hearing shall be conducted before at least one member of the board prior to the decision by the board to grant or refuse a rental adjustment. Notice of the time and place of the hearing shall be furnished to the landlord and tenant. The board may consolidate petitions relating to controlled rental units in the same building, and all such petitions may be considered in a single hearing.

(b) On its own initiative, the board may make a general adjustment, by percentage, of the rental levels for any class of controlled rental units within the town. Prior to making such adjustment, a public hearing shall be held before at least a majority of the board. Notice that an adjustment is under consideration, a description of the class of rental units which would be affected by the adjustment, and the time and place of said public hearing shall be published three times in at least one newspaper having a general circulation within the town.

(c) Notwithstanding any other provision of this section, the board may, without holding a hearing, refuse to adjust a rent level for an individual rental unit if a hearing has been held with regard to the rental level of such unit within twelve months.

(d) Hearings required by paragraph (a) shall be conducted in accordance with the provisions of section eleven of chapter thirty A of the General Laws.

#### SECTION 8. Incorporation of Administrative Procedure Act

The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section four, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

#### SECTION 9. Evictions.

(a) No person shall bring any action to recover possession of a controlled rental unit unless:

(1) the tenant has failed to pay the rent to which the landlord is entitled;

(2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord;

(3) the tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety or enjoyment of the landlord or other occupants of the same or any adjacent accommodation;

(4) the tenant is convicted of using or permitting a controlled rental unit to be used for any illegal purpose;

(5) the tenant, who had a written lease or rental agreement which terminated on or after this by-law has taken effect in the Town of Brookline, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms that are not inconsistent with or violative of any provisions of this by-law;

(6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws of the United States, the commonwealth, or any political subdivision thereof, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee;

(7) the person holding at the end of a lease term is a sub-tenant not approved by the landlord;

(8) the landlord seeks to recover possession in good faith for use and occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law;

(9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; and

(10) the landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purposes of this act.

(b) A landlord seeking to recover possession of a controlled rental unit shall apply to the board for a certificate of eviction. Upon receipt of such an application, the board shall send a copy of the application to the tenant of the controlled rental unit together with a notification of all rights and procedures available under this section. If the board finds that the facts attested to in the landlord's petition are valid and in compliance with paragraph (a), the certificate of eviction shall be issued.

(c) A landlord who seeks to recover possession of a controlled rental unit without obtaining such certificate of eviction shall be deemed to have violated this by-law, and the board may initiate a criminal prosecution for such violation.

(d) Notwithstanding the provisions of this section the United States, the commonwealth, or any agency or political subdivision thereof, may maintain an action or proceeding to recover possession of any rental unit operated by it if such action or proceeding is authorized by the statute or regulation under which such units are administered.

(e) The provisions of this section shall be construed as additional restrictions on the right to recover possession of a controlled rental unit. No provision of this section shall entitle any person to recover possession of such a unit.

(f) The board may issue orders which shall be a defence to an action of summary process for possession and such orders shall be reviewable as herein provided.

#### SECTION 10. Conference of Jurisdiction.

(a) The Brookline municipal court shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to section fourteen of chapter thirty A of the General Laws.

(b) The superior court shall have jurisdiction in equity to enforce the provisions of these by-laws, and any amendments or additions thereto, and may restrain by injunctions violations thereof.

#### SECTION 11. Civil Remedies.

(a) Any person who demands, accepts, receives or retains any payment of rent in excess of the maximum lawful rent, in violation of the provisions of this by-law or any regulation or order hereunder promulgated, shall be liable as hereinafter provided to the person from whom such payment is demanded, accepted, received or retained, or to the Town of Brookline for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of one hundred dollars, or not more than three times the amount by which the payment or payments demanded, accepted, received or retained, exceed the maximum rent which could be lawfully demanded, accepted, received or retained, whichever is the greater; provided that if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation, the amount of such liquidated damages shall be the amount of the overcharge or overcharges.

(b) If the person from whom such payment is demanded, accepted, received or retained in violation of the provisions of this by-law or any rule or regulation hereunder promulgated fails to bring an action under this section within thirty days from the date of the occurrence of the violation, the board may either settle the claim arising out of the violation or bring such action. Settlement by the board shall thereafter bar any other person from bringing action for the violation or violations with regard to which a settlement has been reached. If the board settles said claim, it shall be entitled to retain the costs it incurred in the settlement thereof, and the person against whom the violation was committed shall be entitled to the remainder. If the board brings action under the provisions of this section, it shall be entitled to receive attorney's fees and costs under the provisions of paragraph (a) and the person against whom the violation was committed shall be awarded liquidated damages under said paragraph (a).

(c) A judgment for damages or on the merits in any action under this section shall be a bar to any recovery under this section in any other action against the same defendant on account of any violation with respect to the same person prior to the institution of the action in which such judgment was rendered. Action to recover liquidated damages under the provisions of this section shall not be brought later than one year after the date of the violation. A single action for damages under the provisions of this section may include all violations of the provisions of this section committed by the same defendant against the same person.

SECTION 12. Criminal Penalties.

(a) It shall be unlawful for any person to demand, accept, receive or retain any rent for the use or occupancy of any controlled rental unit in excess of the maximum rent prescribed therefor under the provisions of this by-law or any order or regulation hereunder promulgated, or otherwise to do or omit to do any action in violation of the provisions of this by-law or any order or regulation hereunder promulgated.

(b) It shall be unlawful for any person to demand, accept, receive or retain any payment which exceeds the maximum lawful rent for one month as a finder's fee or service charge for the opportunity to examine or lease any controlled rental unit, and no finder's fee or service charge shall be lawful unless the person from whom the payment is demanded, accepted, received or retained actually rents or leases the controlled rental unit with regard to which payment of said fee or said charge has been demanded, accepted, received or retained.

(c) Whoever willfully violates any provision of this Bylaw or any rule or regulation hereunder promulgated, or whoever knowingly makes any false statement in any testimony before the rent board, or whoever knowingly supplies the rent board with any false information shall be punished by a fine of not more than one thousand dollars for any one offense.

SECTION 13. Exemption from Civil Service.

The personnel of the rent board established under section four shall not be subject to the provisions of section nine A of chapter thirty of the General Laws or chapter thirty-one of the General Laws.

SECTION 14. Severability.

If any provision of this by-law or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this by-law and the application of such provision to other persons or circumstances shall not be affected thereby.".

The above vote was passed by a majority vote, four (4) voting in the negative, was so declared by the Moderator, and is so recorded.

The following resolve was presented by John A. Businger and was duly seconded by Roger W. Stern:

Be it resolved, that this Town Meeting be recorded in opposition to any attempt by the State Legislature to modify or negate the authorization granted this Town in Chapter 843 of the Acts of 1970.

The above resolve was adopted by a majority vote, was so declared by the Moderator, and is recorded.

SECOND ARTICLE. To see if the Town will vote to accept any amendments or additions to Chapter 842 of the Acts of 1970, or act on anything relative thereto.

No Motion was offered and No Action was taken under this Article.

THIRD ARTICLE. To see if the Town will vote to appropriate and transfer \$6,000.00, or any other sum, from the unencumbered balance in the account entitled "Schematic Plans — Brookline Avenue Recreation Center" to a special account for a Feasibility Study for the Rehabilitation and Modification of the James J. Lynch Recreation Center, or act on anything relative thereto.

On motion of Robert C. Cochrane, Jr., duly seconded by Michael Hammerman, it was:

*Voted:* That the Town appropriate and transfer \$6,000.00 from the unencumbered balance in the account entitled "Schematic Plans — Brookline Avenue Recreation Center" to a special account for a Feasibility Study for the Rehabilitation and Modification of the James J. Lynch Recreation Center.

FOURTH ARTICLE. To see if the Town will vote to modify, rescind or augment the appropriation, voted under Article 10 in the warrant for the November 18, 1975, Special Town Meeting, and, appropriate from available funds, an additional sum, to be expended by the Building Commission with the approval of the Selectmen, for studies, plans and specifications for correction of acoustical and masonry problems at the new Pierce School, and appropriate from available funds a sum of money to reimburse the School Committee for funds expended for any such purposes, or act on anything relative thereto.

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To reaffirm the action taken under Article 10 of the Warrant for the November 18, 1975 Special Town Meeting.

On motion of Robert C. Cochrane, Jr., duly seconded, it was:

*Voted:* To appropriate and transfer \$6500 from the appropriation voted under Article 10 of the Warrant for the November 18 Special Town Meeting, to be added to the School Committee budget appropriation for fiscal 1976.

On motion of Robert C. Cochrane, Jr., duly seconded, it was unanimously:

*Voted:* To appropriate and transfer from Surplus Revenue \$28,000 to be expended by the Building Commission with the approval of the Board of Selectmen for studies, plans and specifications for the correction of masonry work at the New Pierce School.

Kenneth M. Nelson abstained from voting on the above article.

Two resolutions presented by Ruth D. Dorfman, duly seconded, were defeated.

Four amendments presented by Shepard A. Spunt, duly seconded, were defeated.

FIFTH ARTICLE. To see if the Town will vote to authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire in fee simple, or a lesser interest therein, by purchase or by a taking by eminent domain, for conservation purposes, the land situated on the easterly side of Amory Street, shown as Block 12, Lot 3, containing 68,640 square feet, and described on a plan entitled: "Plan of Land in Brookline, Mass.", dated: November 6, 1975, by the Commissioner of Public Works, a copy of which is on file in the Town Clerk's Office, which plan is incorporated herein by reference, and to appropriate therefor, and all expenses in connection therewith, a sum of money, and to determine whether the same shall be provided by an appropriation from available funds, by borrowing, or by any combination of the foregoing, and to authorize and empower the Conservation Commission to enter into agreements with state and federal agencies for financial and other assistance in connection with the acquisition of said land, or act on anything relative thereto.

On motion of Joan J. Fried, duly seconded, it was:

*Voted:* That the Town authorize and empower the Selectmen, upon the written request of the Conservation Commission, under the provisions of General Laws, Chapter 40, Section 8C, as amended, to acquire, in fee simple, by purchase or by a taking by eminent domain, for conservation purposes, the land described in Article 5 in the warrant for this meeting, and appropriate therefor, and all expenses in connection therewith, \$155,000.00, and to meet the appropriation the Town authorize the Treasurer, with the approval of the Selectmen, to borrow \$155,000.00 under General Laws, Chapter 44, as amended, and to authorize and empower the Conservation Commission to enter into agreements with State and Federal agencies for financial and other assistance in connection with the acquisition of said land and the preservation and conservation of said land in accordance with General Laws, Chapter 40, Section 8C, as amended.

A two-thirds vote being required, the above vote was taken by count, one hundred eight (108) voted in the affirmative, thirty-seven (37) voted in the negative and one (1) abstained, was so declared by the Moderator, and is so recorded.

**SIXTH ARTICLE.** To see if the Town will vote to authorize and empower the Selectmen to acquire, in fee simple, or a lesser interest therein, by purchase or by a taking by eminent domain, for park and playground purposes, the land situated on the easterly side of Amory Street, shown as Block 12, Lot 1, containing 25,476 square feet, and described on a plan entitled: "Plan of Land in Brookline, Mass.", dated: November 7, 1975, by the Commissioner of Public Works, a copy of which is on file in the Town Clerk's Office, which plan is incorporated hereby by reference, and to appropriate therefor, and all expenses in connection therewith, a sum of money and to determine whether the same shall be provided by an appropriation from available funds, by borrowing, or by any combination of the foregoing, and to authorize and empower the Park and Recreation Commission to enter into agreements with state and federal agencies for financial and other assistance in connection with the acquisition of said land and the development and operation of park and recreational facilities on said land, or act on anything relative thereto.

A motion by Joan J. Fried, duly seconded, for the appropriation of \$70,000.00 to acquire land under this Article, was defeated.

A two-thirds vote being required a majority vote was not obtained, was so declared by the Moderator, and is so recorded.

At twelve forty-two A.M., December 17, 1975, on motion duly made and seconded, it was unanimously:

*Voted:* That the Special Town Meeting be dissolved.

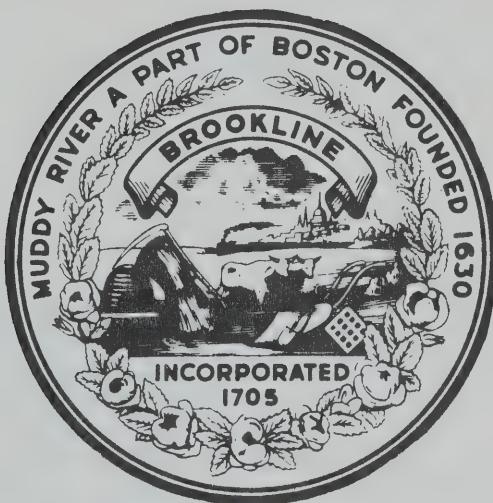
At the close of the meeting the checkers reported that the names of two hundred twenty-nine (229) Town Meeting Members had been checked as present at the meeting.

Dissolved:

Thomas F. Larkin  
Town Clerk

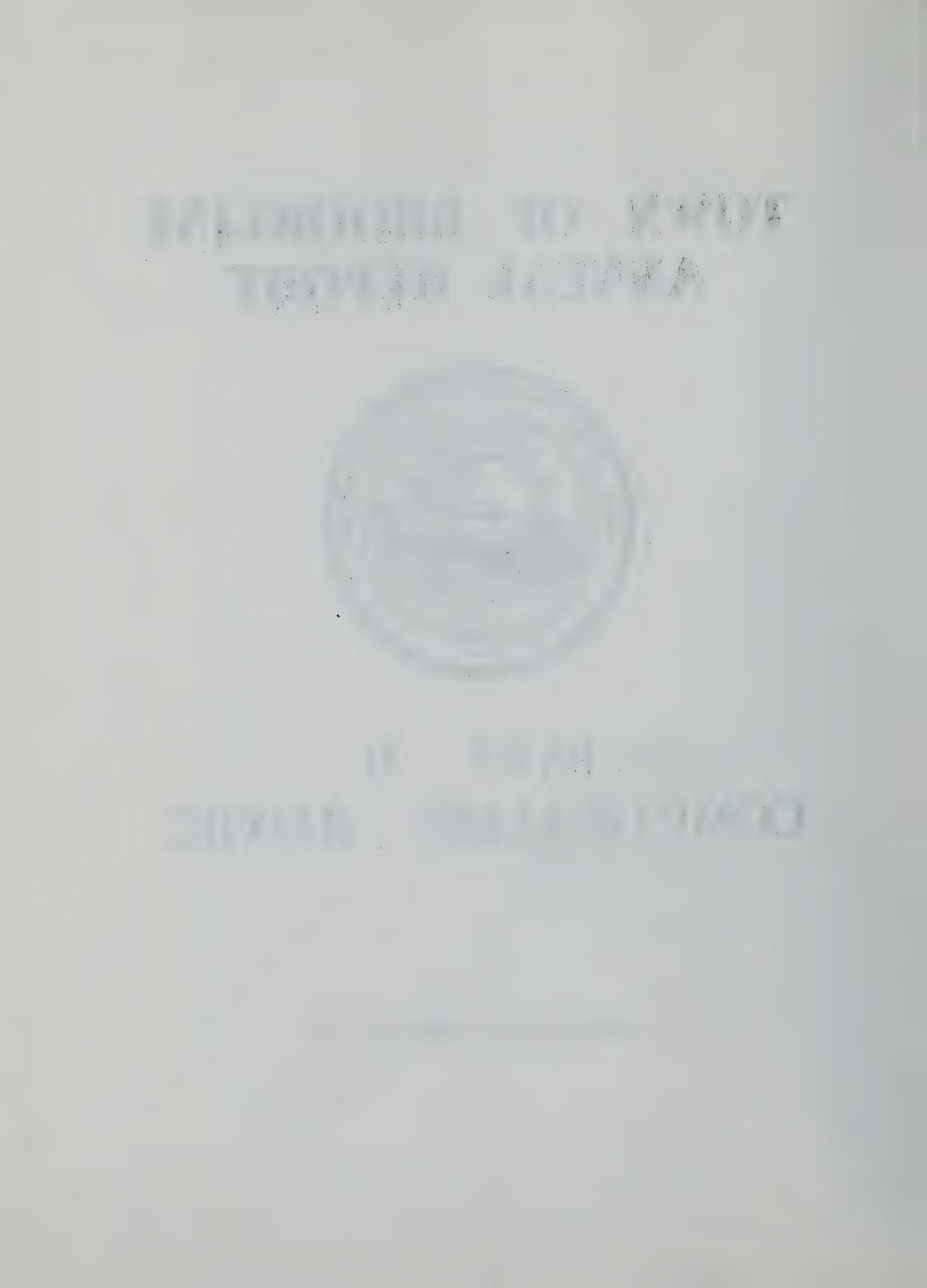


# **TOWN OF BROOKLINE ANNUAL REPORT**



## **PART II COMPTROLLER'S REPORT**

**July 1, 1975 - June 30, 1976**



## TOWN OF BROOKLINE

## FISCAL 1976 ANNUAL TOWN REPORT

## PART II

## Comptroller's Report

July 1, 1975 - June 30, 1976

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COMPTROLLER'S REPORT  
FOR THE YEAR ENDING JUNE 30, 1976

Frank E. Mauritz

Brookline, Mass.  
November 15, 1976

To the Honorable Board of Selectmen:

Gentlemen:

In compliance with the provisions of General Laws, Chapter 41, Section 61, I herewith submit to you the seventy-fifth annual report for the Comptroller's Department.

An analysis of the accounts of the Town Treasurer and Collector is submitted in Schedule A which summarizes his accounts as Town Collector and Schedule G recording an analysis of his receipts as Town Treasurer. His accounts as Treasurer of the various Trust Funds have been recorded on the books of the Comptroller and the securities and savings accounts have been checked and found to be in accordance with the accompanying Schedule I. This examination included the securities and savings accounts of the Brookline Retirement System as set forth in Schedule N.

Details of the financial transactions of the Town are set forth in the accompanying schedules:

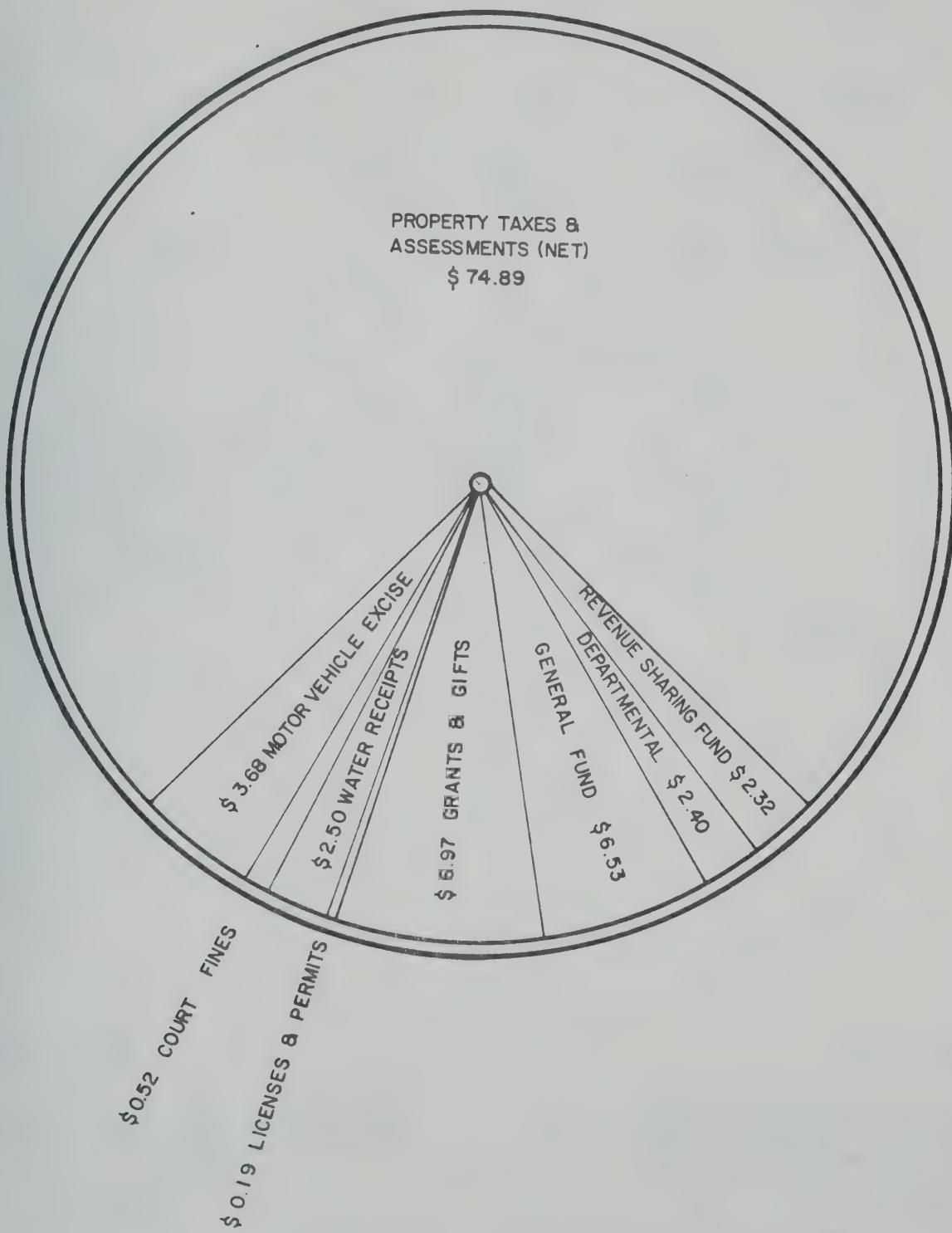
- A - Summary of Collector's Accounts
- B - Balance Sheet
- C - Special Assessment Revenue Not Due
- D - Statement of Funded Debt
- E - Changes in Town Debt
- F - Statement of Appropriations and Expenditures
- G - Schedule of Receipts
- H - Analysis - Contingent Account
- I - Trust Fund - Transactions
- J - Schedule of Tax Levies and Tax Collections (1965 - 1976)
- K - Schedule of Bonded Debt and Assessed Valuations (1965 - 1976)
- L - Valuations, Tax Rates, Expenditures, Debt and Per Capitas  
(1949 - 1976)
- M - Assessed Valuation of Town Property
- N - Brookline Retirement System

Respectfully submitted,  
FRANK E. MAURITZ,  
Comptroller



BROOKLINE, MASS., F.Y. 1976  
TOTAL RECEIPTS      \$49,544,295.90

HOW EACH \$100 WAS RECEIVED



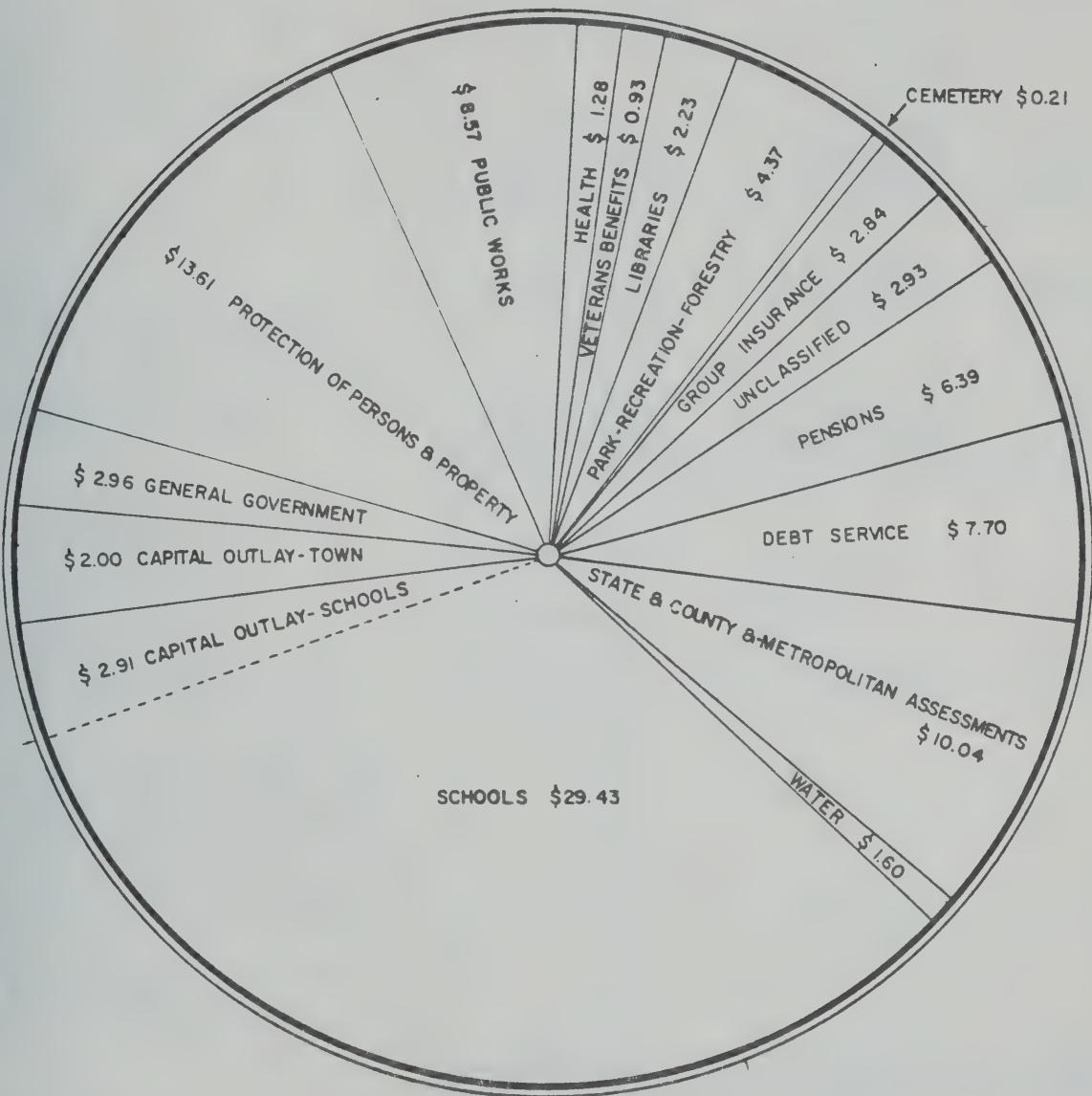
FRANK E. MAURITZ  
COMPTROLLER



5

**BROOKLINE, MASS., F.Y. 1976**  
**TOTAL EXPENDITURES \$47,648,401.62**

**HOW EACH \$100 WAS EXPENDED**



<b>TAX RATE</b>	<b>\$84.00</b>
<b>ASSESSED VALUATION</b>	<b>\$ 453,398,200.00</b>
<b>FUNDED DEBT</b>	<b>\$ 19,048,000.00</b>
<b>POPULATION</b>	<b>51,332</b>



SCHEDULE A  
Summary of Collectors Accounts

Tax Levy of 1976

	Real Estate	Personal Property	Total
Commitment	\$ 36,438,082.80	\$ 1,647,366.00	\$ 38,085,448.80
Water liens 1976 reported as real estate 1976	39.90		39.90
Personal property taxes 1975 reported as 1976		42.00	42.00
Real estate taxes 1976 reported as Personal Property taxes		189.00	189.00
Refunds	200,435.64	10,201.80	210,637.44
	<u>\$ 36,638,558.34</u>	<u>\$ 1,657,798.80</u>	<u>\$ 38,296,357.14</u>

Payments to treasurer	\$ 34,701,959.51	\$ 1,591,373.10	\$ 36,293,332.61
Abatements	815,571.56	19,609.80	835,181.36
Deferred Real Estate taxes 1976	6,636.00		6,636.00
Real estate taxes 1976 reported as personal property taxes	189.00		189.00
Outstanding June 30, 1976	<u>1,114,202.27</u>	<u>46,815.90</u>	<u>1,161,018.17</u>
	<u>\$ 36,638,558.34</u>	<u>\$ 1,657,798.80</u>	<u>\$ 38,296,357.14</u>

Tax Levy of 1975

	Real Estate	Personal Property	Total
Outstanding July 1, 1975	\$ 1,382,068.26	\$ 46,143.89	\$ 1,428,212.15
Real estate taxes 1974 reported as 1975	4,000.00		4,000.00
Apportioned Street Betterments 1975 reported as real estate taxes 1975	54.06		54.06
Apportioned Street Betterments-Committed interest-1975 reported real estate taxes 1975	21.62		21.62
Interest reported as real estate taxes 1975	.03		.03
Water rates 1975 reported as real estate taxes 1975	96.25		96.25
Abatement reported in error		.11	.11
Refunds	<u>247,064.35</u>	<u>2,474.00</u>	<u>249,538.35</u>
	<u>\$ 1,633,304.57</u>	<u>\$ 48,618.00</u>	<u>\$ 1,681,922.57</u>

Payments to treasurer	\$ 1,130,454.66	\$ 23,040.00	\$ 1,153,494.66
Abatements	259,520.00	7,600.00	267,120.00
Transfers to tax titles	45,608.00		45,608.00
Personal property taxes 1975 reported as 1976		42.00	42.00
Real estate taxes 1975 reported as interest	29,225.63		29,225.63
Real estate 1975 reported as Water liens 1975	45.85		45.85
Real estate 1975 reported as interest	101.97		101.97
Outstanding June 30, 1976	<u>168,348.46</u>	<u>17,936.00</u>	<u>186,284.46</u>
	<u>\$ 1,633,304.57</u>	<u>\$ 48,618.00</u>	<u>\$ 1,681,922.57</u>



**Schedule A (Cont'd.)**  
**Summary of Collectors Accounts**

**Tax Levy of 1974**

Outstanding July 1, 1975	\$ 140,979.96	\$ 13,665.61	\$ 154,645.57
Refunds	70,189.50	876.00	71,065.50
	<u>\$ 211,169.46</u>	<u>\$ 14,541.61</u>	<u>\$ 225,711.07</u>
Payments to treasurer	\$ 118,243.01	\$ 6,825.50	\$ 125,068.51
Abatements	65,955.50	2,533.10	68,488.60
Adjustment of commitment		.01	.01
Transfers to tax titles	6,241.50		6,241.50
Real estate taxes 1974 reported as 1975	4,000.00		4,000.00
Interest reported as real estate taxes 1975	15.07		15.07
Outstanding June 30, 1976	<u>16,714.38</u>	<u>5,183.00</u>	<u>21,897.38</u>
	<u>\$ 211,169.46</u>	<u>\$ 14,541.61</u>	<u>\$ 225,711.07</u>

**Tax Levy of 1973**

Outstanding July 1, 1975	\$ 53,482.03	\$ 16,550.00	\$ 70,032.03
Water liens 1973 reported as real estate taxes 1973	2,076.55		2,076.55
Refunds	48,520.56	1,679.00	50,199.56
	<u>\$ 104,079.14</u>	<u>\$ 18,229.00</u>	<u>\$ 122,308.14</u>

Payments to treasurer	\$ 44,462.82	\$ 2,450.47	\$ 46,913.29
Abatements	47,190.50	6,718.20	53,908.70
Transfers to tax titles	10,819.82		10,819.82
Outstanding June 30, 1976	1,606.00	9,060.33	10,666.33
	<u>\$ 104,079.14</u>	<u>\$ 18,229.00</u>	<u>\$ 122,308.14</u>



Schedule A (Cont'd.)  
Summary of Collectors Accounts

Tax Levy of 1972

	Real Estate	Personal Property	Total
Outstanding July 1, 1975	\$ 1,573.00	\$ 1,687.40	\$ 3,260.40
Refunds	<u>26,812.50</u>		<u>26,812.50</u>
	<u><u>\$ 28,385.50</u></u>	<u><u>\$ 1,687.40</u></u>	<u><u>\$ 30,072.90</u></u>

Payments to treasurer	\$ 107.25	\$ 107.25
Abatements	936.65	28,464.15
Outstanding June 30, 1976	643.50	1,501.50
	<u>\$ 28,385.50</u>	<u>\$ 1,687.40</u>
	<u><u>\$ 28,385.50</u></u>	<u><u>\$ 30,072.90</u></u>

Tax Levy of 1971

Outstanding July 1, 1975	\$ 1,346.20	\$ 1,346.20
Refunds	<u>14,605.00</u>	<u>14,605.00</u>
	<u><u>\$ 14,605.00</u></u>	<u><u>\$ 15,951.20</u></u>
Abatements	869.95	15,474.95
Outstanding June 30, 1976	476.25	476.25
	<u>\$ 14,605.00</u>	<u>\$ 15,951.20</u>

Tax Levy of 1970

Outstanding July 1, 1975	\$ 1,032.50	\$ 1,032.50
Refunds	<u>1,770.00</u>	<u>1,770.00</u>
	<u><u>\$ 1,770.00</u></u>	<u><u>\$ 2,802.50</u></u>
Abatements	531.00	2,301.00
Outstanding June 30, 1976	501.50	501.50
	<u>\$ 1,770.00</u>	<u>\$ 2,802.50</u>

Tax Levy of 1969

Outstanding July 1, 1975 and June 30, 1976	\$ 49.00	\$ 49.00
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Tax Levy of 1968

Outstanding July 1, 1975 and June 30, 1976	\$ 41.50	\$ 41.50
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Deferred Real Estate Taxes

Outstanding July 1, 1975	\$ 280.00
Deferred real estate taxes 1976	6,636.00
	\$ 6,916.00
Outstanding June 30, 1976	<u>\$ 6,916.00</u>



## Schedule A (Cont'd.)

MOTOR VEHICLE AND TRAILER EXCISE

<u>Levies of</u>				
	<u>1976</u>	<u>1975</u>	<u>1974</u>	<u>Total</u>
Outstanding July 1, 1975				
Commitments				
Abatements reported in duplicate				
Motor vehicle excise 1973 reported as 1976				
Refunds				
	14.38			14.38
	3,315.80	14,947.19	2,578.04	20,841.03
	<u>\$1,268,418.01</u>	<u>\$1,511,618.62</u>	<u>\$ 404,869.19</u>	<u>\$3,184,905.82</u>
Payments to treasurer				
Abatements				
Motor Vehicle excise 1975 reported as interest				
Outstanding June 30, 1976				
	.80			.80
	491,667.28	243,058.10	235,709.71	970,435.09
	<u>\$1,268,418.01</u>	<u>\$1,511,618.62</u>	<u>\$ 404,869.19</u>	<u>\$3,184,905.82</u>
<u>Levies of</u>				
	<u>1973</u>	<u>1972</u>	<u>1971</u>	<u>Total</u>
Outstanding July 1, 1975				
Commitment				
Motor Vehicle excise 1972 reported as 1973				
Abatements reported in duplicate				
Checks returned-Insufficient funds				
Refunds				
	8.25			8.25
	9,501.72			9,501.72
Payments to treasurer				
Abatements				
Motor vehicle excise 1972 reported as 1973				
Motor vehicle excise 1973 reported as 1976				
Outstanding June 30, 1976				
	14.38			14.38
	189,517.34	98,306.91	46,882.10	334,706.35
	<u>\$ 227,565.01</u>	<u>\$ 99,889.08</u>	<u>\$ 82,514.84</u>	<u>\$ 409,968.93</u>
<u>Levies of</u>				
	<u>1970</u>	<u>1969</u>	<u>1968</u>	<u>Total</u>
Outstanding July 1, 1975				
Payments to treasurer				
Abatements				
Outstanding June 30, 1976				
	14.38			14.38
	248.14	438.82	21.20	708.16
	30,907.42	1,637.87	325.33	32,870.62
	4,185.19	2,438.73	241.58	6,865.50
	<u>\$ 35,340.75</u>	<u>\$ 4,515.42</u>	<u>\$ 588.11</u>	<u>\$ 40,444.28</u>



## Schedule A (Cont'd.)

APPORTIONED STREET BETTERMENTS

	<u>Levies of</u>		
	<u>1976</u>	<u>1975</u>	<u>Total</u>
Outstanding July 1, 1975		\$ 102.70	\$ 102.70
Commitment	\$4,500.41		4,500.41
	<u>\$4,500.41</u>	<u>\$ 102.70</u>	<u>\$ 4,603.11</u>
Payments to treasurer	\$ 4,451.77		\$ 4,451.77
Transfers to tax titles		\$ 48.64	48.64
Appportioned Street Betterments			
1975 reported as real estate			
taxes 1975		54.06	54.06
Outstanding June 30, 1976	48.64		48.64
	<u>\$ 4,500.41</u>	<u>\$ 102.70</u>	<u>\$ 4,603.11</u>



## Schedule A (Cont'd.)

## APPORTIONED STREET BETTERMENTS-COMMITTED INTEREST

	<u>Levies of</u>		
	<u>1976</u>	<u>1975</u>	<u>Total</u>
Outstanding July 1, 1975		\$ 41.08	\$ 41.08
Commitment	<u>1,516.11</u>		<u>1,516.11</u>
	<u>\$ 1,516.11</u>	<u>\$ 41.08</u>	<u>\$ 1,557.19</u>
Payments to treasurer	\$ 1,498.60		\$ 1,498.60
Transfers to tax titles		\$ 19.46	19.46
Apportioned Street Betterment-committed interest reported as real estate taxes 1975		21.62	21.62
Outstanding June 30, 1976	<u>17.51</u>	<u>\$ 41.08</u>	<u>17.51</u>
	<u>\$ 1,516.11</u>		<u>\$ 1,557.19</u>

APPORTIONED STREET BETTERMENTS - PAID IN ADVANCE

Commitment	\$ 275.92
Payments to treasurer	<u>\$ 275.92</u>

APPORTIONED WATER MAINS-1976

Commitment	\$ 74.49
Payments to treasurer	<u>\$ 74.49</u>

APPORTIONED WATER MAINS-COMMITTED INTEREST-1976

Commitment	\$ 5.96
Payments to treasurer	<u>\$ 5.96</u>

UNAPPORTIONED SEWER CHARGES

Outstanding July 1, 1975	\$ 172.62
Commitment	85.00
	\$ 257.62
Payments to treasurer	\$ 85.00
Outstanding June 30, 1976	172.62
	<u>\$ 257.62</u>



## Schedule A (Cont'd.)

WATER LIENS ADDED TO TAXES

	Levies of	1976	1975	1973	Total
Outstanding July 1, 1975			\$ 7,029.75	\$ 2,926.00	\$ 9,955.75
Commitment		\$ 180,185.04			\$ 180,185.04
Real estate taxes 1975 reported as water liens 1975			45.85		45.85
Refunds		1,157.80			1,157.80
		\$ 181,342.84	\$ 7,075.60	\$ 2,926.00	\$ 191,344.44
Payments to treasurer		\$ 174,048.70	\$ 4,438.70	\$ 772.45	\$ 179,259.85
Water Liens 1976 reported as water rates		2.45			2.45
Water liens 1976 reported as real estate taxes 1976		39.90			39.90
Transfers to tax titles			1,645.00	77.00	1,722.00
Water liens 1973 reported as real estate taxes 1973				2,076.55	2,076.55
Outstanding June 30, 1976		7,251.79	991.90		8,243.69
		\$ 181,342.84	\$ 7,075.60	\$ 2,926.00	\$ 191,344.44



### Schedule A (Cont'd.)

## DEPARTMENTAL ACCOUNTS RECEIVABLE

Departments	Outstanding July 1, 1975	Debit Adjust- ment	Refunds	Collections	Abatements	Liens	Credit Adjust- ments	Outstanding June 30, 1976
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Board of Assessors	\$ 2,925.44	\$ 12,180.75	\$ 9,109.00	\$ 5,997.19
Comptroller		685.31	685.31	123.50
Fire	414.00	3,173.75	3,457.25	380.00
Forestry	380.00			2,257.22
Highway	1,040.22	19,784.03		66.33
Library	20.96	406.05		2,298.90
Park	2,583.40	7,526.53		
Police-Private Details	15,918.75	140,798.25	31.00	17,600.75
Police-Other	1,355.47			1,355.47
Schools	3,291.05	80,708.66	1,392.34	17,184.83
Selectmen	795.00	8,545.00		950.00
Sewer Damages and Repairs	351.58	198,546.52		
Veterans Services	37,137.50			176.58
Water:				22,222.63
Rates	273,740.18	1,248,952.85	815.90	84,004.74
Charges	13,667.61	23,540.45	2.45	47,300.00
Aid to Highways - Chapter 90:				\$2,389.24
State	50,295.89	192,867.00		\$1,653,948.39
County	25,147.94	47,300.00		
	\$429,064.99	\$1,985,015.15	\$2.45	
				159,158.15
				25,147.94
				\$569,634.82



TOWN OF BROOKLINE  
BALANCE SHEET - JUNE 30, 1976  
GENERAL ACCOUNTS

ASSETS	LIABILITIES AND RESERVES
Cash:	
General	\$ 3,373,383.20
Federal Grants:	
Code Enforcement	455.08
Code Enforcement-Escrow	1,217.00
Comprehensive Planning Assistance	8,746.95
Community Development Block Grant	5,801.50
Community Development Block Grant-Escrow	55,218.75
Investments:	
Non-Revenue	1,000,000.00
Revenue	2,600,000.00
Revenue Sharing Trust Fund	38,622.18
Discrepancy: Forged Checks	29,741.23
	\$ 7,113,185.89
Accounts Receivable:	
Taxes:	
Levy of 1968: Personal Property	41.50
Levy of 1969: Personal Property	49.00
Levy of 1970: Personal Property	501.50
Levy of 1971: Personal Property	476.25
Levy of 1972: Personal Property	643.50
Real Estate	858.00
Levy of 1973: Personal Property	9,060.33
Real Estate	1,606.00
Levy of 1974: Personal Property	5,183.00
Real Estate	16,714.38
Levy of 1975: Personal Property	17,936.00
Real Estate	168,348.46
Levy of 1976: Personal Property	46,815.90
Real Estate	1,114,202.27
Special Real Estate Taxes - 1968:	
G.L. Chapter 143-Section 9	23,490.36
Deferred Real Estate Taxes	6,916.00
Motor Vehicle and Trailer Excise:	
Levy of 1968	241.58
Levy of 1969	2,438.73
Levy of 1970	4,185.19
Levy of 1971	46,882.10
Levy of 1972	98,306.91
Levy of 1973	189,517.34
Levy of 1974	235,709.71
Levy of 1975	243,058.10
Levy of 1976	491,667.28
Tax Titles and Possessions:	
Tax Titles	70,392.87
Tax Possessions	6,114.12
Special Assessments:	
Street Betterments-1976	48.64
Street Betterments - Committed Interest-1976	17.51
Unapportioned Sewer Charges	172.62
Departmental:	
Assessors	5,997.19
Fire	123.50
Forestry	380.00
Highway	2,257.22
Library	66.33
Park	2,298.90
Police - Private Details	17,600.75
Police	1,355.47
Schools	17,184.83
Guarantee Deposits:	
Sale of Town Owned Property	1,040.00
Tax Possessions	410.00
No Parking Signs	1,071.00
Engineering Plans	785.00
Agency:	
Reserve for Accounts Payable-Town	292,865.42
Reserve for Teachers Salaries	10,495.38
Reserve for Accounts Payable-School	415,723.03
County-Dog Licences	724.75
School-Book and Art Material Recoveries	4,050.59
Forestry-Tree Planting	51.50
Cemetery Perpetual Care	1,205.00
Portable Signs	255.00
Employees Group Insurance Fund	20,341.58
Elderly Group Insurance Fund	687.58
Advance Payments for Group Insurance	23,633.03
Advance Payments for Medicare	35,105.40
Tailings	805,138.26
Trust Fund:	
Cemetery Perpetual Care	16,661.59
Gifts and Grants:	
Federal:	
Code Enforcement Program	455.08
Code Enforcement Escrow	1,217.00
Community Development Block Grant	5,801.50
Community Development Block Grant Escrow	55,218.75
Multi-Service Senior Center for the Aged	9,468.80
School:	
Aid to Education P.L. 874	146,329.47
Operation Head Start	870.95
Elementary and Secondary Education Act - Title I	28,257.68
Vocational Education	
Food Services - Child Care P.L. 92-318	10,223.15
Performing Arts - Title III	15,862.53
Metco Program P.L. 89-10	17,600.60
Vocational Education (Odwin)	305.96
Metco Research Services	10,203.50
School Library - Title II	827.00
New Perspective Schools	2,993.15
Recreation:	
Program for Handicapped Children	60,481.90
Comprehensive Planning Assistance Program	8,746.95
State	
School:	
Sex Discrimination	75.00
Danforth Foundation	
Moral Education	10,000.00
Academically Talented Pupils-Ch. 651-1964	2,458.32



Selectmen	\$ 950.00	Health Nutrition	\$ 9,770.00
Sewer Damage	176.58	Grant	
Veteran Services	22,222.63	New Perspective	
		School	561.00
	\$ 70,613.40	Police Planning	
		Research	2,895.80
Water:		Private:	
Liens-1975	991.90	School:	
Liens-1976	7,251.79	Brookline Early	
Charges	4,886.18	Education Project	156,511.71
Rates	309,829.15	Cincinnati Fund-	
		Social Studies	226.92
Aid to Highways-Chapter 90		Joseph P. Kennedy	
State	159,158.15	Foundation	18.98
County	25,147.94	Harvard Grant	2,376.75
		Peace Corps Training	200.00
Loans Authorized:		Tutoring Assistance	184.79
Solid Waste Transfer		P. Simons-Lt. Gutman	1,346.34
Station	117,000.00	Magnet Program-	
Marsh Project-Brookline		Boston University	70,866.14
Redevelopment Project	450,000.00	Educational Facilities	
Land Acquisition -		Laboratory Study	2,500.00
St. Dominic School		Mass. General Hospital	
Property	155,000.00	Special Class Teachers	4,169.53
		M.I.T. Grant-Institute	
Underestimates-1976:		Training	1,800.00
Metropolitan Parks	34,693.19	Wheelock College Intern	200.00
Metropolitan Sewerage	10,182.47		
County Hospital	19,156.68		
		Others:	
Overlay Deficits:		Warren Day Care Center	500.00
Levy of 1970	2,301.00	Garden Club Grant	160.00
Levy of 1971	15,474.95	Committee on Urban	
Levy of 1972	28,464.15	Responsibility	325.00
Levy of 1973	53,361.20	Conservation Committee-	
Levy of 1974	59,692.10	Ford Foundation	551.00
Levy of 1975	276,463.89	Boston Metropolitan	
		Planning Project	106,028.23
Revenue-1977		Human Relations-Youth	
		Resources	218.57
Appropriations Authorized		Traffic and Parking	105.75
from Federal Grants:		New Perspective School -	
Revenue Sharing Trust		Cash Match	950.00
Fund	700,000.00	Library Learning	
Community Development		Resources	3,744.32
Block Grant	58,000.00		
			\$ 753,608.12
Vacation Advances:		Revolving Funds:	
Fiscal 1977	15,684.56	School Lunch	159,779.68
		School Athletics	1,499.36
		School Private Details	1,059.04
		Police Private Details	9,675.24
		Private Work Details	
		and Others	70.71
		Mass. Bicentennial	
		Development Act	3,566.24
			175,650.27
		Annual Appropriation	
		Control - 1977	41,897.385.00
		Special Revenue	
		Appropriation	
		Control-1977	2,070,870.17
			43,968,255.17
		Appropriation Balances:	
		Revenue	
		General	51,446.65
		Special	1,314,824.69
		Non-Revenue:	
		Town Hall and	
		Police Stateion	8,001.37
		Land Acquisition -	
		Coolidge Corner	1,355.22
		Fire Station -	
		Babcock Street	909.43
		Land Acquisition -	
		Park School	11,794.80
		Lawrence School	
		Construction	22,168.86
		Addition to Main	
		Library	28,570.47
		Repairs, Remodeling &	
		Reconstruction -	
		Main Library	74,291.87
		Addition to Coolidge	
		Corner Library	2,046.16
		Repairs, Remodeling &	
		Reconstruction, Coolidge	
		Corner Library	260.71



Coolidge Corner Parking Lot	\$ 1,705.85
Pierce School - Construction	173,866.38
Underground Garage Construction	42,428.87
Equipment-Lawrence School	6,356.70
Pedestrian Bridge- Village	538.52
Solid Waste Transfer Station	98,553.08
Devotion School Construction	743,562.96
	\$ 2,582,682.59
Loans Authorized and Unissued	722,000.00
Overestimates-1976:	
Boston Metropolitan District Expense	.01
Massachusetts Bay Trans- portation Authority	8,303.58
Metropolitan Air Pollution	1,355.01
Special Education	34,367.00
Metropolitan Water	1,887.40
County Tax	424,207.55
	470,120.55
Receipts Reserved for Appropriation:	
Parking Meter Fees	51,725.50
Sale of Lots and Graves	9,745.00
Miscellaneous Sales- Cemetery	2,775.00
Sale of Real Estate Fund	1,867.75
Federal Revenue Sharing Fund	38,622.18
	104,735.43
Overlay:	
Levy of 1976	1,892.64
Revenue Reserved Until Collected:	
Special Real Estate Taxes-1968	23,490.36
Deferred Real Estate Taxes	6,916.00
Motor Vehicle and Trailer Excise	1,312,006.94
Tax Title and Possessions	76,506.99
Special Assessments	238.77
Departmental	70,613.40
Water	322,959.02
Aid to Highways	184,306.09
	1,997,037.57
Excess and Deficiency	3,099,192.74
<u>\$ 54,706,645.03</u>	<u>\$ 54,706,645.03</u>

#### DEBT ACCOUNTS

Net Funded or Fixed Debt		Serial Issues:	
Inside Debt Limit		Inside Debt Limit:	
General	\$ 6,123,000.00	Town Office Building and Police	
Outside Debt Limit		Station	\$ 185,000.00
General	\$ 12,220,000.00	Fire Station- Babcock Street	75,000.00
Public Utilities	705,000.00	Sewers and Drains	1,723,000.00
	12,925,000.00	Schools, Including Land Acquisition	465,000.00
		Libraries, Including Additions and Renovations	1,930,000.00
		Parking Lots - Coolidge Corner:	
		Land Acquisition	135,000.00
		Underground Garage	650,000.00
		Pedestrian Bridge - Village	300,000.00
		Solid Waste Transfer Station	660,000.00
			\$ 6,123,000.00



Outside Debt Limit:	
Schools and Gymna-	
sium	\$ 11,860,000.00
Water Mains	705,000.00
Urban Renewal	
Marsh Project	360,000.00
	<u>12,925,000.00</u>
	<u>\$ 19,048,000.00</u>
<u>\$19,048,000.00</u>	

#### DEFERRED REVENUE ACCOUNTS

Apportioned Street Betterment		Apportioned Street Betterment	
Assessments -		Assessment Revenue:	
Not Due:		Due in 1977-1988	33,142.57
Betterments	\$ 33,142.57	Apportioned Water Mains	
Water Mains	<u>74.49</u>	Due in 1977	<u>74.49</u>
	<u>\$ 33,217.06</u>		<u>\$ 33,217.06</u>

#### SUSPENDED REVENUE ACCOUNTS

Suspended Assessments:		Suspended Revenue	
Water Mains	\$ 1,281.60	Water Mains	\$ 1,281.60

#### TRUST AND INVESTMENT ACCOUNTS

Trust and Investment Accounts-		Trust Funds:	
In Custody of Town Treasurer	\$ 668,419.17	Public Safety Committee	\$ 1,692.26
		Stephen E. Train Health Center	92,639.33
		School Funds:	
		Mabel Prescott	
		Bailey	\$ 5,043.14
		John A. Curtin	5,594.83
		Payson Dana	5,008.47
		Abbie W. Dean	11,765.40
		Charles W. Holtzer	19,537.25
		J. Murray Kay	1,119.55
		William H. Lincoln-	
		Medal	2,572.07
		William H. Lincoln-	
		Scholarship	20,407.89
		D. Blakely Hoar	11,629.13
		Katherine B. Shick	10,437.94
		Summer E. Shikes	1,202.03
		Marion E. Thomas	
		Advance Study	26,014.60
		Edward Fredkin	4,651.02
		Kendrick Memorial	5,382.00
		Florence L. and	
		Mortimer C. Grymish	
		Scholarship	5,406.12
		Arthur W. Murray	
		School Library	580.69
			136,352.13
		Library Funds:	
		Alice W. Bancroft	1,103.91
		Caleb Davis Bradlee	1,128.16
		Leon R. Eges	15,853.11
		General Fund	3,286.20
		Isabella Stewart	
		Gardner	5,818.93
		John L. Gardner-1871	11,507.65
		John L. Gardner-1924	21,743.60
		Martin L. Hall	5,803.30
		John Emory Hoar	640.63
		Louisa M. Hooper	5,255.24
		Frances Emily Hunt	6,242.64
		D. Blakely Hoar	30,012.43
		Sidney L. Kay	261.05
			108,656.85
		Tree and Forestry Funds:	
		Arthur W. and	
		Frances G. Blake	3,730.41
		James H. Bowditch	5,315.40
		James D. Warren	1,326.09
		D. Blakely Hoar	
		Memorial	1,127.64
		D. Blakely Hoar	
		Tree Planting	21,785.83
			33,285.37



Stabilization Fund	\$ 19,186.83
Cemetery Perpetual Care Fund	263,163.95
D. Blakely Hoar Memorial Bird Sanctuary Fund	10,419.20
Conservation Fund	3,023.25
<u>\$ 668,419.17</u>	<u>\$ 668,419.17</u>

Frank E. Mauritz  
Comptroller



SCHEDULE CSPECIAL ASSESSMENT REVENUE - NOT DUE

DUE	STREET BETTERMENTS	WATER MAINS	TOTAL
1976-77	\$ 4,465.92	\$ 74.49	\$ 4,540.41
1977-78	4,465.92		4,465.92
1978-79	4,465.92		4,465.92
1979-80	3,910.69		3,910.69
1980-81	3,910.69		3,910.69
1981-82	3,910.69		3,910.69
1982-83	3,910.69		3,910.69
1983-84	3,910.69		3,910.69
1984-85	47.84		47.84
1985-86	47.84		47.84
1986-87	47.84		47.84
1987-88	47.84		47.84
Suspended Water Main Assessment		1,281.60	1,281.60
	<u>\$ 33,142.57</u>	<u>\$ 1,356.09</u>	<u>\$ 34,498.66</u>

SCHEDULE DChanges in Town Debt-Fiscal Year Ending June 30, 1976

Outstanding July 1, 1975	\$21,713,000.00
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## Deduct:

Urban Renewal	\$ 45,000.00
School and Sites	1,483,000.00
Public Buildings and Sites	665,000.00
Public Facilities	175,000.00
Water, Sewers and Drains	297,000.00
	<u>2,665,000.00</u>

Outstanding June 30, 1976	<u>19,048,000.00</u>
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Note: In addition to the outstanding debt shown in this schedule, the following unissued loans have been authorized:

Marsh Project	\$450,000.00
Land Acquisition-St.	
Dominic School Property	<u>155,000.00</u>

There is a balance remaining in the loan authorization for a Solid Waste Transfer Station in the amount of \$117,000.00 which the next town meeting will be asked to rescind as the project is completed.



CLASSIFIED SCHEDULE E  
STATEMENT OF FUNDED DEBT  
June 30, 1976

DUE	URBAN RENEWAL PRINCIPAL INTEREST	SCHOOLS AND SITES PRINCIPAL INTEREST	PUBLIC BUILDINGS AND SITES PRINCIPAL INTEREST	W A T E R SEWERS AND DRAINS PRINCIPAL INTEREST		TOTAL PRINCIPAL INTEREST								
				1976/77	1977/78	1978/79	1979/80	1980/81	1981/82	1982/83	1983/84	1984/85	1985/86	1986/87
360,000	66,150	12,325,000	2,801,625	3,935,000	598,614	2,428,000	586,944	19,048,000	4,053,333	4,725				
45,000	13,950	1,420,000	561,142	825,000	163,893	296,000	118,201	2,586,000	857,186					
45,000	12,150	1,415,000	494,940	630,000	130,070	286,000	104,089	2,376,000	741,249					
45,000	10,350	1,370,000	429,495	630,000	101,270	275,000	90,360	2,320,000	631,475					
45,000	8,550	1,365,000	364,785	625,000	72,542	261,000	76,913	2,296,000	522,790					
45,000	6,750	1,290,000	301,305	360,000	44,319	250,000	63,705	1,945,000	416,079					
45,000	4,950	1,230,000	242,145	205,000	32,444	250,000	50,580	1,730,000	330,119					
20,000	3,600	1,230,000	184,275	195,000	24,083	245,000	37,562	1,690,000	249,520					
20,000	2,700	1,185,000	127,080	155,000	16,663	205,000	25,479	1,565,000	171,922					
20,000	1,800	1,065,000	72,000	155,000	9,998	190,000	14,540	1,430,000	98,338					
15,000		580,000	20,520	155,000	3,332	150,000	5,065	900,000	29,930					
15,000		175,000	3,938	20,000	450	20,000	450	210,000	4,725					



## SCHEDULE F

## STATEMENT OF APPROPRIATION AND EXPENDITURES FOR YEAR ENDING, JUNE 30, 1976

	Balances From 1975	1976 Appropriations	TRANSFERS		Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1977
			To Res. for Accts. Pay.	Various			
<b>GENERAL GOVERNMENT</b>							
Selectmen-Administration	170.00	158,320.	14,021.20	170.00	168,321.70	4,019.50	
Selectmen-Personnel Office		53,134.	4,414.00		51,046.52	6,501.48	
Advisory Committee		2,050.	1,000.00A		2,779.00	271.00	
Purchasing	606.72	74,205.	5,545.00		76,803.64	1,560.97	1,992.11
Legal	184.66	102,980.	1,144.00	184.66	153,235.54	8,333.46	715.00
Board of Assessors		98,403.	58,160.00A		102,700.66	2,960.38	396.96
Town Clerk	226.00	77,836.	7,655.00		83,222.89	(2,747.48)	2,809.59
Registrars of Voters		60,052.	5,449.00	226.00	51,044.20	9,844.04	1,767.76
Elections		53,400.	2,640.00		39,257.14	14,018.69	2,764.17
Comptroller-Accounting		88,322.	(200.00)		95,261.14	618.46	20.00
" Data Processing	1,732.85	107,869.	7,777.60		110,931.25	1,566.32	1,858.61
" Retirement	2,000.00	3,051,478.	1,722.00	2,000.00	3,047,224.49	1,912.13	16,063.38
Treasurer and Collector	1,211.15	113,051.	8,952.00		1,211.15		
Planning Department		114,621.	1,000.00A		118,633.24	2,841.03	1,528.73
Town Hall	6,734.00	156,932.	7,430.00		116,944.12	3,821.63	1,285.25
Repairs to Public Buildings	17,386.00	120,830.	3,851.00	6,734.00	132,832.56	20,950.44	7,000.00
	30,251.38	4,433,483.	1,308.00	17,386.00	108,794.78	4,043.22	9,300.00
			152,345.10	(29,029.78)	4,459,032.87	80,515.27	47,501.56
<b>PUBLIC SAFETY</b>							
Police Transportation	37,282.95	2,789,693.	1,100.00	22,597.96	2,792,693.01	35,034.94	10,863.04
	8.88	60,990.	4,638.00	8.88	65,173.80	110.96	343.24
Fire	17,379.95	3,477,993.	5,864.00		3,425,763.72	59,703.36	16,989.92
Building Inspection	1,854.75	221,444.	14,000.00A	12,779.95	202,441.03	37,503.76	457.96
	56,526.53	6,550,120.	17,509.00	405.00	6,486,071.56	132,353.02	28,654.16



SCHEDULE F (CONT'D)

DEPARTMENT OF PUBLIC WORKS	Balances From 1975	Appropriations	1976		TRANSACTIONS		Total Disbursements	Unencumbered Balances Closed Out	Balances to 1977	
			Various	To Res. for Accts. Pay.	Various	Various				
<b>Salaries:</b>										
Administration	1,500.00	197,481.	42,699.00		225,707.93	13,355.57	2,616.50			
Engineering	2,831.88	302,169.	23,654.00		303,708.94	21,645.94	3,300.00			
Highway	500.00	1,248,052.	86,600.00A		1,442,817.63	(29,837.61)	955.98			
Sanitation	500.00	534,525.	41,162.00		550,555.32	25,406.68	225.00			
Water-Meters	100.00	102,534.	8,083.00		97,965.03	12,626.97	125.00			
Water -Distribution	200.00	469,711.	49,185.00		521,888.13	(3,042.13)	250.00			
Operation:										
Administrative Expense	72.00	11,715.		72.00	9,392.03	513.23	1,809.74			
Engineering Expense	1,327.37	8,800.		1,327.37	7,211.70	(1,311.97)	2,900.27			
Highway Division:										
Roadways and Sidewalks	3,485.90	100,895.		3,485.90	65,884.01	34,295.28	715.71			
Cleaning		9,100.			6,086.25	3,013.75				
Snow Removal	5,933.37	136,000.		5,000.00A	160,966.40	(20,062.30)	95.90			
Traffic Control	2,850.00	80,768.		2,850.00	79,001.23	(691.78)	2,458.55			
Motor Equipment Maintenance	30,190.85	360,867.		30,190.85	368,937.41	(12,582.49)	4,512.08			
Sewer and Drains	251.90	73,675.		251.90	74,025.37	(350.37)				
Street Lighting	2,691.84	422,000.		2,691.84	470,985.20	(49,235.20)	250.00			
Sanitation Division:										
Refuse Collection	29,905.69	52,830.		815.00	29,905.69	42,296.26	11,348.74			
Incinerator and Dump	1,849.21	352,738.		(815.00)	1,849.21	273,622.32	76,375.68	1,925.00		
Water Division:										
Meters	1,520.68	32,420.			1,520.68	29,193.46	(122.54)	3,349.08		
Distribution	2,304.26	126,035.			2,304.26	115,188.43	9,430.85	1,415.72		
	<u>88,014.95</u>	<u>4,622,315.</u>		<u>335,167.00</u>	<u>(82,383.07)</u>	<u>4,845,433.05</u>	<u>90,776.30</u>	<u>26,904.53</u>		
<b>PARK AND FORESTRY</b>										
Park Personal Services	300.00	904,057.		66,304.00		922,347.17	40,389.33	7,924.50		
Park Administration		2,320.				2,106.45	124.55	89.00		
Park Maintenance	21,483.14	169,100.		21,483.14		151,795.99	6,246.16	11,057.85		
Park Golf Course	471.50	26,575.		471.50		28,324.54	(5,841.57)	4,092.03		
Forestry Personal Services	200.00	165,318.		14,125.00		172,986.48	6,529.49	127.03		
Forestry Operation	1,827.25	37,620.				30,063.69	(15,157.21)	22,713.52		



## SCHEDULE F (CONT'D)

	1976	T R A N S F E R S		Total	Unencumbered	Balances
	Appropriations	Various	To Res. for Accts. Pay.	Disburse- ments	Closed Out	to 1977
Balances From 1975						
Forestry Dutch Elm Disease and Suppression of Insect Pests	468.15	52,943.	468.15	27,992.40	20,884.21	4,066.39
	24,750.04	1,357,933.	80,429.00	(24,250.04)	1,355,616.72	53,174.96
RECREATION						
Recreation Personal Services	235.24	610,816.	38,969.00	644,054.60	5.95	5,959.69
Recreation Administrative	759.00	3,905.	759.00	2,103.21	489.29	1,312.50
Recreation Operations	4,642.54	324,264.	(216,330.61)	4,642.54	102,186.26	4,668.06
	5,636.78	938,985.	(177,361.61)	(5,401.54)	748,344.07	1,574.31
HEALTH						
Health Department	18,425.64	600,935.	25,338.00	(18,425.64)	608,582.78	11,538.62
CEMETERY						
Care of Cemeteries	123.82	91,817.	8,200.38	(2.44)	99,127.13	747.83
						263.80
LIBRARIES						
Public Libraries:						
Personal Services	1,721.80	714,608.	59,916.00S	762,514.41	11,439.43	2,291.96
Maintenance	10,386.00	300,075.	8,800.00A	10,386.00	298,132.21	947.51
	12,107.80	1,014,683.	68,716.00	(10,386.00)	1,060,646.62	12,386.94
PUBLIC ASSISTANCE						
Veterans Services	507,289.	7,393.00		443,255.95	4,648.69	66,777.36
EDUCATION						
Reserve for Other Charges	302,745.10		415,723.03	253,027.70	49,717.40	415,723.03
Reserve for Teachers			10,495.38			10,495.38
Salaries	302,745.10		426,218.41	253,027.70	49,717.40	426,218.41
Instructional Services:						
Personnel Services	7,621,544.	12,270.00		7,478,714.68		
		51,460.00A				
Contractual Services	599,639.	(174,208.36)		435,499.78		
Supplies and Materials	425,649.	(23,220.89)		294,289.67		
Other Charges	102,462.	67,373.20		173,169.76		
Capital Expenditures	110,211.	(2,101.00)		72,901.83		
Total	8,859,505.	(68,427.05)	(234,736.05)	8,454,575.72	101,766.18	



## SCHEDULE F (CONT'D)

	Balances From 1975	Appropria- tions	1976		TRANSACTIONS		Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1977
			Various	To Res. for Accts. Pay.	To Res. for Accts. Pay.	Various			
<b>Support Services:</b>									
Personnel Services	3,450,801		134,001.01				3,435,537.28		
Contractual Services	878,048.		128,398.62				988,508.03		
Supplies and Materials	634,141.		105,111.49				737,199.38		
Other Charges	154,371.		(17,373.88)				122,781.79		
Capital Expenditures	43,134.		(2,899.00)				30,370.56		
<b>Total</b>	<b>5,160,495.</b>		<b>347,238.24.</b>	<b>(191,482.36)</b>			<b>5,314,397.04.</b>	<b>1,853.84</b>	
<b>Departmental Total</b>	<b>302,745.10</b>	<b>14,020,000.</b>	<b>705,029.60</b>	<b>(426,218.41)</b>			<b>14,022,000.46</b>	<b>153,337.42</b>	<b>426,218.41</b>
<b>UNCLASSIFIED</b>									
Out of State Travel	301.35		301.35				4,912.92	87.08	
Warrants and Reports	2,800.00		2,800.00				27,651.59	2,848.41	1,500.00
Contingent Account	9,451.86		43,000.				40,144.69		2,855.31
Reserve Fund	460,000.		(453,871.98)A				6,128.02		
Reserve for Accounts Payable	308,613.02		269,996.13				237,892.23	47,851.40	292,865.52
Group Insurance	5,611.07		1,238,000.				1,354,168.64		831.36
Workmen's Compensation									
Insurance	392.66		233,320.				392.66	267,326.40	
Dues - Mass. League of Cities and Towns			3,584.					3,584.00	
General Services	1,553.46		226,864.				3,893.00		
Property & Boiler Insurance	1,476.00		126,400.				30,500.00A	1,553.46	1,091.47
Rent Control Board	1,809.92		145,828.				10,906.00	1,476.00	20,000.00
Human Relations - Youth Resources	1,716.93		169,417.				4,852.98A	929.07	
Council for the Aging	648.80		94,290.				6,835.00	92,632.00	
Conservation Committee	3,965.30		33,807.				1,980.00	30,748.01	
Boston - Taxes			6,000.					5,035.52	964.48
<b>Total</b>	<b>338,340.37</b>	<b>2,817,510.</b>	<b>71,970.13</b>	<b>(26,973.72)</b>			<b>2,749,332.89</b>	<b>87,556.41</b>	<b>363,957.48</b>



## SCHEDULE F (CONT'D)

	Balances From 1975	Appropria- tions	1976		T R A N S F E R S		Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1977
			Various	Accts. Pay.	To Res. for	Trans. for			
<b>DEBT AND INTEREST</b>									
Matured Funded Debt		2,662,000.					2,653,010.26	8,989.74	
Interest on Funded Debt		974,804.					974,803.75	•25	
Miscellaneous Interest & Fees		100,000.					39,913.47	60,086.53	
		3,736,804.					3,667,727.48	69,076.52	
		<b>876,922.41</b>	<b>40,691,874.</b>	<b>1,353,450.60</b>	<b>(658,862.43)</b>	<b>40,525,171.58</b>	<b>697,686.29</b>	<b>1,040,526.71</b>	

	Balances From 1975	Appropriations 1976	Transfers During 1976		Disburse- ments	Balances Closed Out	Balances to 1977
			1976	1976			
<b>SPECIAL APPROPRIATIONS FOR 1976</b>							
76-601 Salary Adjustment - Town		1,112,487.00	(550,466.48)			34,420.52	527,600.00
76-602 Emergency Medical Services System		10,000.00					203.27
76-603 Unpaid Bills of Prior Years		31,916.42	215,303.44			9,796.73	
76-604 Water Main Improvements	75-76	103,814.38	170,000.00			247,219.86	
76-606 Driscoll School, feasibility study		25,000.00				258,221.48	
76-607 Longwood Playground, Reconstruction						4,250.00	
76-608 Clark Playground, modifications							
in design		25,000.00					
76-609 Baldwin Playground area,							
Reconstruction		15,000.00					
76-610 Reconstruction and Maintenance							
Various Streets and Sidewalks		200,000.00					
76-611 Highway Construction Program							
(Chap. 765)		102,239.00	20,000.00			118,345.80	
76-612 Audit Financial Records of Town							
76-613 Resolution - U.S. Military							
Budget for 1975 (Petition)		25.00					
76-614 Tax Title Foreclosure		684.00					
76-615 Longevity Pay		54,800.00	(53,800.00)				
76-616 Night Differential Pay		3,500.00	(2,500.00)				
76-617 Insurance Recovery-Bridge Repairs		3,300.00					
76-618 Lincoln School, feasibility study		25,000.00					
76-619 Acoustical Problems,							
New Pierce School		25,000.00	(6,500.00)			15,596.25	
							2,903.75



## SCHEDULE F (CONT'D)

	Balances From 1975	Appropriations 1976	Transfers During 1976	Disburse- ments	Balances Closed Out	Balances to 1977
76-620 Lynch Recreation Center, feasibility study		6,000.00 28,000.00		6,000.00 28,000.00		
76-621 Masonry Work, New Pierce School	<u>103,814.38</u>	<u>1,882,951.42</u>	<u>(397,963.04)</u>	<u>705,130.12</u>	<u>37,729.52</u>	<u>845,943.12</u>
<hr/>						
APPROPRIATIONS BROUGHT FORWARD FROM PRIOR YEARS						
73-601 Town Hall Construction	Balance From 1975	Transfers During 1976	Disburse- ments	Balances Closed Out	Balances to 1977	
73-602 Coolidge Corner Land Acquisition	<u>8,001.37</u>				<u>8,001.37</u>	
73-604 Parking Area, Heath School, Plans Spec's and Construction	<u>1,355.22</u>				<u>1,355.22</u>	
73-606 Fire Station Construction, Babcock Street	4,246.50					
73-607 Devotion School, Plans & Spec's, Addns. and Alterations	909.43					
73-610 Indemnification Retired Police and Firefighter	43,376.56					
73-611 Pollution Control Devices, Boilers at Heating & Lighting Plant	1,141.00					
73-616 Land Taking - New Lincoln School	1,114.00					
73-622 William H. Lincoln School - Plans and Specifications	11,794.80					
73-624 Lawrence School - Plans & Spec's, Additions & Alterations	91,208.29	<u>(25,000.00)</u>	<u>52,902.05</u>			
73-625 Main Library - Additions & Alterations	20,432.29					
73-626 Main Library - Remodeling & Reconstruction	26,889.99					
73-628 Main Library - Equipping & Furnishing	64,100.35					
73-629 New Traffic Signals - Beacon, Mountfd. and St. Paul Sts.	57,722.43					
73-631 Installation of Sprinkler System at Various Schools	3,000.00					
73-634 Juniper Street Deed	18,934.69					
73-639 Laying and Relaying Water Mains 1970	75.90					
73-641 Town Center Power Supply System	3,510.33					
73-643 Tree Planting of Roadside Trees Various Streets	14,635.50					
73-645 Laying & Relaying Water Mains 1972	3,866.50	<u>(2,994.40)</u>				



## SCHEDULE F (CONT'D)

	Balance From 1975	Transfers During 1976	Disburse- ments	Closed Out	Balances to 1977
73-646 BRA Reimbursement during Const. Improvements to Pearl St.	20,000.00 2,046.16				20,000.00 2,046.16
73-650 Addition to Coolidge Corner Library	260.71				260.71
73-651 Remodeling & Repairs Coolidge Corner Library	902.50	(902.50)			
73-652 Water Construction - Water Mains 1971					
73-653 Reconstruction, Maint. & Repair Various Sts. & Sidewalks	5,940.61 37,408.40 1,705.85		26,318.35	5,940.61 11,090.05 1,705.85	
73-656 Highway Construction - Chapter 90, 1972	67,718.16				
73-658 Coolidge Corner Parking Lots	55,540.70 1,347.88				
73-660 Modernization of Traffic Controls, Various Streets 1970	178,184.92	9,000.00A	13,318.54		173,866.38
73-661 Highway Construction - Chapter 90, 1972	30,000.00				30,000.00
73-663 Neighborhood Improvement Program - Mass. E-12					
73-664 Construction of New Pierce School					
73-665 Remodeling, Reconstruct, Pierce School not scheduled to be demolished 1970					
73-666 Construction of Underground Municipal Parking Facility	42,428.87				42,428.87
73-667 Additional Relocation & Moving Cost - Pierce School	19,500.00				19,500.00
73-670 Schematic Plans - Brookline Ave. Recreation Center	6,000.00	(6,000.00)			
73-671 Study of Solid Waste System at Municipal Incinerator	4,982.27 191.00	3,595.00A	4,000.00	982.27	3,786.00
73-673 Water Drain Easement - Harvard Ave.					
73-674 Easements - Land Damages - Water Construction Ch. 79, 1972	118.75.				118.75
73-678 Lawrence School, Additional Departmental Equipment	20,390.77			14,034.07	6,356.70
73-680 Modernization of Traffic Control Devices Various Sts. 1972	43,400.00			63.50	43,336.50
73-681 Traffic Signal Improvements, Washington Street at Station 7	12,700.00				12,700.00
73-682 Installation of Traffic Control Devices at "School Zones" at Various Schools	38,802.00				38,802.00
73-683 Land Damages - Washington Street - Chapter 79	1.00				1.00
74-603 Termination Compensation - Firefighters	28,470.99				
74-608 Highway Construction - Chapter 90, 1973	94,600.00				73,224.73



## SCHEDULE F (CONT'D)

	Balance From 1975	Transfers During 1976	Disburse- ments	Balances Closed Out	Balances to 1977
<b>74-609 Construction of Pedestrian Bridge -</b>					
Brookline Village	538.52				538.52
74-611 Widening Juniper St. for Pedestrian Bridge	51,966.75				51,966.75
74-613 Reconstruction Artificial Ice Skating Rink	5,537.48				
74-614 Construction of Schick Park	2,278.75				
74-617 Lease of Land from Commonwealth of Mass.	1.00				1.00
74-619 Holden Street Alterations	825.50				
75-604 Construction of Addition Devotion School	1,980,025.78				
75-605 Solid Waste Transfer Station	125,916.85				
75-606 Highway Construction, Chapter 90, 1974-75	45,910.13				
75-607 Water Mains Improvements 1974-75	96,407.15	(96,407.15)			
75-608 Tennis Courts, Construction of -					
Amory Playground	74,426.31				
75-609 Traffic Control Signal Improvements, Cypress & Kendall Sts.	68,893.92				5,532.39
75-610 Hall's Pond Area, Acquisition of Land	40,000.00				40,000.00
75-611 Hall's Pond Program of Conservation	3,118.70				3,099.70
	19,887.55				17,216.83
	<u>3,538,791.56</u>	<u>(107,003.38)</u>	<u>1,632,903.22</u>	<u>113,592.14</u>	<u>1,685,292.82</u>



## SCHEDULE F (CONT'D)

	STATE AND COUNTY ASSESSMENTS	Tax Levy Estimates	Disburse- ments to 1977	Actual	Over Estimates	Under Estimates
				to 1977	to 1977	to 1977
<b>State Assessments:</b>						
Auditing Municipal Accounts				17,676.01	17,676.01	
Boston Metropolitan District Expense				1,223.95	1,223.94	.01
Examination of Retirement System				1,255.50	1,255.50	
Health Insurance - Elderly Govt. Retirees				7,680.20	7,680.20	
Metropolitan Air Pollution District				5,139.36	3,784.35	1,355.01
Metropolitan Area Planning Council				8,763.75	8,763.75	
Metropolitan Bay Transit Authority Deficiency				2,154,359.00	2,146,055.42	8,303.58
Metropolitan Park System:						
Bond Principal				630,656.56	665,349.75	
Bond Interest						
Maintenance						
Metropolitan Sewerage System:						
Bond Principal				397,713.86	407,896.33	
Bond Interest						
Maintenance						
Metropolitan Water System				639,793.44	637,906.04	1,887.40
Motor Vehicle Excise Bills				3,539.85	3,539.85	
Special Education Assessment				111,695.00	77,328.00	34,367.00
				<u>3,979,496.48</u>	<u>3,978,459.14</u>	<u>45,913.00</u>
						<u>44,875.66</u>
<b>County Assessments:</b>						
County Tax						
County Hospital						
1,131,128.71				706,921.16	424,207.55	
80,659.72				99,816.40		19,156.68
<u>1,211,788.43</u>				<u>806,737.56</u>	<u>424,207.55</u>	<u>19,156.68</u>



## SCHEDULE F (CONT'D)

GRANTS AND GIFTS FEDERAL GRANTS	Balance From 1975	Receipts 1976	Disburse- ments	Transfers 1976	Balance to 1977
<b>School:</b>					
National Defense Education Act-					
F.L. 864	11,791.76				11,791.76
Aid to Education - P.L. 874	239,939.37	45,359.00			138,968.90
Magnet Program	17,387.26	282,138.00			224,346.17
Head Start	870.95				
E.S.E.A. - Title 1	176.64	128,487.00			100,405.96
School Library - Title 11	1,058.47	12,464.14			12,419.11
Performing Arts - Title 111	15,867.53				5.00
Vocational Education	121,194.57	501,970.00			613,114.72
Social Studies Project - Cincinnati Fund	226.92				
Metco Program - P.L. 89-10	137,072.42	251,138.00			370,609.82
Recreation Program for Handicapped Children	78,054.90				17,573.00
Odwin	305.96				
Academically Talented Pupils	2,458.32				
Metco Research Services	10,203.50				
Boston Metropolitan Planning Project	118,969.61	164,478.00			177,419.38
School Grants - Other:					
Harvard Grant	2,376.75				
Wheelock College Intern Grant Tutoring Assistance		2,200.00			2,000.00
Paul Simons - Lt. Gutman Foundation	184.79				
Brookline Early Education Project	1,346.34				
M.I.T. Institute Training Grant	35,305.67	761,154.00			639,947.96
M.G.H. Special Class Teacher	1,800.00				
Educational Facilities Laboratory Study	4,169.53				
Warren Day Care Center	2,500.00				500.00



## SCHEDULE F (CONT'D)

	Balance From 1975	Receipts 1976	Disburse- ments	Transfers 1976	Balance to 1977
<b>Other Grants:</b>					
Brookline Human Relations Fund	584.72		366.15		218.57
Committee on Urban Responsibility	325.00				325.00
Code Enforcement Program	6,564.83	2,959.30			455.08
Ford Foundation-Conservation Committee	3,817.77				551.00
Garden Club Grant	160.00				160.00
HUD - Comprehensive Planning Assistance Program	1,817.68	34,500.00	27,570.73		8,746.95
Joseph P. Kennedy Jr. Foundation	18.98				18.98
Medical Library Resource - Improvement Grant	7.92		7.92		
Mass. Public Health Nutrition Grant Multi-Service Senior Center for the Aged	14,600.00		4,850.00		9,770.00
Peace Corp Training Program	5,354.62	5,651.09	1,536.91		9,468.80
Police Information System	200.00				200.00
Police Planning Research	81,929.80	7,877.00	94,273.96		532.84
Traffic - Parking Dept. Fund	6,838.00	5,715.00	4,657.20		2,895.80
Danforth Foundation Summer Curriculum	105.75				105.75
New Perspectives School Grant			10,000.00		10,000.00
Chapter 622 Sex Discrimination			12,811.00		4,504.15
Library Learning Resources			75.00		75.00
Community Development Block Grant			3,744.32		3,744.32
			1,026,387.18		5,801.50
			1,020,585.68		
			3,483,073.00		
			(4,371.15)		
	<b>925,586.33</b>	<b>3,259,608.03</b>	<b>3,483,073.00</b>		<b>697,750.21</b>



## SCHEDULE F (CONT'D)

OTHER UNCLASSIFIED ACCOUNTS Temporary Loans in Anticipation of Revenue	Balance From 1975	Receipts 1976	Disburse- ments	Transfers 1976	Balance 1977
Parking Meter Receipts	204,107.46	145,445.00	7,200,000.00	(297,826.96)	51,725.50
School Lunch Program	164,723.32	573,940.97	578,884.61		159,779.68
School Athletic Program	6,913.64	5,941.42	11,305.90		1,499.36
Agency, Tailings and Judgements	96,888.27	10,601,089.51	10,488,865.02	(32,267.24)	176,845.52
Trust Funds	6,036.39	61,988.64	61,660.93		6,364.10
Refunds on Taxes and Other Accounts		652,043.92	652,043.92		
Credits Direct to Appropriation		146,405.81	146,405.81		
Vacations Paid in Advance	(18,367.79)	15,684.56	18,367.79		(15,684.56)
Premium on Bonds Issued	8,989.74	8,989.74			
Police Private Detail - Revolving Fund	11,258.74	130,181.25	128,597.75		9,675.24
School Private Detail - Revolving Fund	31.39	4,547.30	5,574.95		1,059.04
Private Work Detail - Revolving Fund		5,306.03	5,376.74		70.71
Investments - Revenue Cash	(3,300,000.00)	49,500,000.00	50,200,000.00	(2,600,000.00)	
Investments - Non Revenue Cash	(3,600,000.00)	10,800,000.00	13,400,000.00	(1,000,000.00)	
Massachusetts Bicentennial	3,925.00	358.76			3,566.24
	(6,415,493.84)	19,386,855.27	79,604,233.83	63,427,773.23	(3,205,099.17).
Total Disbursements			\$130,735,708.45		

( ) Indicates a Subtraction  
A Reserve Fund Transfers  
All Others - Interdepartmental  
Transfers



SCHEDULE G  
TREASURY RECEIPTS  
June 30, 1976

## TAXES (GROSS RECEIPTS)

## Levy of 1976:

Real Estate	\$34,701,959.51		
Personal Property	<u>1,591,373.10</u>	\$36,293,332.61	
Prior Years:			
Real Estate	1,293,160.49		
Personal Property	<u>32,423.22</u>	<u>1,325,583.71</u>	\$37,618,916.32

## IN LIEU OF TAXES:

Brookline Housing Authority	21,029.41		
Assessors - G.L. Chapter 121A. Sec.10	<u>9,109.00</u>	30,138.41	

## TAX TITLE REDEMPTIONS

72,956.64

## STATE - GENERAL FUND DISTRIBUTION:

## General Fund Appropriated Reimbursements:

## Real Estate Abatements to Widows and others

Ch.59, s. 5	1,400.00		
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## Real Estate Abatements to Blind Persons,

Ch. 59, s.5: 1973, Ch. 872	1,487.50		
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## Urban Renewal Projects, Ch. 121

86,683.44

## Veterans' Benefits, Ch. 115, s.6 and Aid

to Needy Dependents of Veterans 1972,

Ch. 610	10,514.00		
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## Vocational Education Ch. 74, s.9 &amp; 10:

1967 Ch. 791	230,191.00		
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## Transportation of Pupils

Ch. 71 ss. 7A & 37D	63,869.00		
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## Construction of School Projects,

Ch. 645; Ch. 346, s.6A; Ch.492 s.18	926,535.41		
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## Education of Deaf and Blind

261.00

## Special Education Program, Ch.69 &amp; 71

334,565.84

1,655,507.19

## Reimbursement Items - Reserve for Direct Expenditures:

Public Libraries Ch. 78, s.19A	22,008.38		
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## General Fund Distributions

School Aid, Ch. 70, as amended	697,892.88		
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## Agency Funds Distributions:

Urban Redevelopment Corporation Excise, Ch. 121 A, s. 10	249,637.16		
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## Highway Fund Distribution, Ch.81, s.31:

151,804.32

1971, Ch. 497; 1974, Ch.492

Local Aid Fund Distribution (Lottery,  
Beano, and Games) Ch.29,2.2D;

1974, Ch. 492

243,844.14645,285.62

3,020,694.07



## SCHEDULE G (Cont.)

## STATE GOVERNMENT:

State --			
Highway Aid		\$ 84,004.74	
County --			
Highway Aid	\$ 47,300.00		
Dog Licenses	3,909.92	<u>51,209.92</u>	\$ 135,214.66

## LICENSES AND PERMITS:

Liquor --			
Package Stores:			
All-Alcoholic	15,000.00		
Wines and Beers	5,400.00		
Restaurants:			
All-Alcoholic	36,000.00		
Wines and Beers	3,600.00		
Malt Beverages	700.00		
Innholders	3,000.00		
Clubs	2,250.00		
Druggists	300.00		
Temporary	<u>15.00</u>		66,265.00
Antiques	1,150.00		
Auctioneers	295.00		
Auto Dealers, Second Hand	1,207.31		
Bicycle Registrations	71.75		
Builders	3,690.00		
Common Victuallers	3,575.00		
Day Nurseries	165.00		
Drain Layers	150.00		
Firearms, Sale of, and ID Cards	496.00		
Furniture, Second Hand	528.00		
Garbage Transportation	50.00		
Hackneys	3,728.00		
Highway - No Parking Signs	417.00		
Ice Cream	55.00		
Innholders	75.00		
Jewelry, and Second Hand Articles	900.00		
Liquor, ID Cards	252.00		
Lodging Houses	4,635.00		
Manicuring and Massaging	15.00		
Marriages	1,972.00		
Milk and Cream	292.00		
Motion Pictures	200.00		
Open Air - Parking Lots	2,387.00		
Peddlers	30.00		
Revolvers	510.00		
Retail Food Establishments	1,016.00		
Signs - Overhanging	212.00		
Sunday Entertainment	955.00		
Sunday Work Permits	12.00		
Swimming Pools	<u>100.00</u>		<u>29,141.06</u>
			95,406.06



## SCHEDULE G (Cont.)

## GRANTS AND GIFTS:

Federal Government --

## Education:

Brookline Early Education Program	\$ 761,154.00
Federal Employment-Children P.L.874	45,359.00
Magnet Program, B. U.	282,138.00
Metco Program P.L. 89-10	251,138.00
Title I - E.S.E.A.	128,487.00
Title II - E.S.E.A.-Library	12,464.14
Vocational Education Act P.L.92-318	<u>501,970.00</u>
	1,982,710.14

## Other Grants:

Boston Metropolitan Planning Project	164,478.00
Code Enforcement, Mass. E-12	2,959.30
HUD Comprehensive Planning	34,500.00
Police Planning Research	13,592.00
Multi-Service Senior Center for the Aged	5,651.09
Wheelock College Intern	2,200.00
Community Development Block	1,026,387.18
New Perspectives School	12,811.00
Danforth Foundation Summer Curriculum	10,000.00
Library Learning Resources	3,744.32
Warren Day Care Center	500.00
Chapter 622 Sex Discrimination	75.00
Insurance Recovery Bridge Repairs	3,300.00
	1,280,197.89
	3,262,908.03

## FINES AND FORFEITS:

Municipal Court Fines	259,623.25
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## SPECIAL ASSESSMENTS:

Sewers:	
Unapportioned-Assessments and Charges	85.00
Betterments:	
Apportioned Assessments	4,451.77
Apportioned-Not Due	<u>275.92</u>
	4,727.69
Water Mains:	
Apportioned Assessments	<u>74.49</u>
	4,887.18

## PRIVILEGES:

Motor Vehicle and Trailer Excise:	
Current Year	706,214.90
Prior Year	<u>1,136,048.84</u>
	1,842,263.74
Parking Meter Receipts:	
On-Street	104,980.00
Off-Street	<u>40,465.00</u>
	145,445.00
Occupation of Sidewalks	
	<u>490.00</u>
	1,988,198.74



## SCHEDULE G (Cont.)

## GENERAL GOVERNMENT:

Comptroller:			
Work Detail-Surcharge	\$	161.25	
Sale of Waste Paper		110.66	
Telephone Refunds and Commissions		124.16	
Miscellaneous		<u>192.68</u>	\$ 588.75

## Treasurer and Collector:

Legal Fees	8,648.35	
Miscellaneous	<u>3,582.78</u>	12,231.13

## Assessors:

Sale of Lists	480.32	
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## Town Clerk:

Recording Fees	2,415.25	
Dog License Fees	1,020.25	
Sporting License Fees	640.15	
Certified Copies	<u>7,019.03</u>	11,094.68

## Selectmen:

Rentals-Anderson Estate	8,390.00	
Recovery Price Fixing Suit	567.88	
Recovery of Damages & Claims	<u>3,459.78</u>	12,417.66

## Rent Board:

Miscellaneous	<u>625.70</u>	37,438.24
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## PROTECTION OF PERSONS AND PROPERTY:

Police Department:		
Surcharge-Police Details	10,445.00	
Photos, Report Fees, Etc.	6,397.74	
Damages - Claims	4,658.39	
Proceeds of Auction	<u>1,036.75</u>	22,537.88

## Fire Department:

Recovery of Damages	2,525.89	
Private Work Details-Surcharge	<u>323.00</u>	2,848.89

## Inspection of Buildings:

Sundry Permits	33,738.70	
Board of Appeals	<u>1,335.00</u>	35,073.70

## Sealing of Weights and Measures:

Fees	1,572.60	
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## Forestry Department:

Pruning Trees-Public Utility	11,174.14	73,207.21
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## DEPARTMENT OF PUBLIC WORKS:

## Engineering:

Zoning maps, Photostats, Etc. \$ 480.30

## Highways:

Recovery Damages-Street and		
Traffic Signals	\$ 10,508.54	
Sidewalks and Driveways	2,270.59	
Sale of Waste Paper	2,433.92	
Sale of Scrap Metal and Glass	988.95	
Sidewalk Permits	375.00	
Storage Rental Charged to		
State D.P.W.	600.00	
Miscellaneous	481.48	
Special Detail Reimbursements	<u>1,928.69</u>	19,587.17

## Sanitation:

Refuse and Garbage Disposal	12,341.75	
Dumping Permits	<u>1,744.00</u>	14,085.75

## Water:

Sale of Water	1,030,638.98	
Water Liens	179,259.85	
Connections	24,150.57	
Damages-Claims	6,308.66	
Maintenance	247.79	
Sale of Scrap Metal	<u>437.20</u>	1,241,043.05

## Health:

Rabies-Vaccine Clinic	2,151.00	
Flu Shots	1,422.00	
X-Rays	1,570.00	
Miscellaneous	<u>761.70</u>	5,904.70

## Veterans' Services:

Veterans' Benefits	213,461.39	
Veterans' Recoveries	<u>8,867.07</u>	222,328.46
		1,503,429.43

## SCHOOLS:

## Tuition:

Individuals --		
Elementary	13,240.31	
High School	41,614.50	
Summer School	27,663.75	
Adult Education--		
Registration Fees	23,018.00	
Driver Training Fees	2,501.00	
Cities and Towns --		
Evening Vocational	<u>146.25</u>	108,183.81



## SCHEDULE G (CONT.)

38

## Sundry Receipts:

Custodial, Police & Firefighters		
Details	\$ 5,574.95	
Telephone Refunds	675.44	
Miscellaneous Refunds	3,753.56	
Rental of School Property	90.00	
Sale of Materials	337.99	
Damages-Lost Books, Etc.	736.49	
	<u>11,168.43</u>	119,352.24

## LIBRARIES:

Sale of Obsolete Books	2,153.35	
Fines and Refunds	36,566.17	
Custodial Details-Surcharge	<u>32.80</u>	38,752.32

## PARK AND RECREATION:

## Park:

Tennis Permits	21,633.25	
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## Ice Skating Rink:

Fees	12,611.40	
Concessionaire and Vending Machines	<u>664.55</u>	13,275.95

## Golf:

Daily Play and Green Fees	58,697.25	
Permits, Residents	54,655.00	
Permits, Non-Residents	19,550.00	
Lockers	9,730.00	
Golf Car Commissions	7,247.64	
Concessionaire-Lunch Counter	<u>5,136.48</u>	155,016.37

Anderson Park Permits	1,867.50	
State Share Reimbursement		
Anderson Skating Rink	152,544.43	
Recovery of Damages	290.28	
Rental of Town Property	2,010.00	
Telephone Refunds	164.06	
Miscellaneous-Garden Space	<u>231.67</u>	157,107.94

## Recreation:

Swimming Pool Fees	20,087.05	
New Gymnasium Facilities	21,341.25	
Morning Play	9,165.00	
Summer Day Camp	5,045.00	
State Subsidy of Milk	1,346.88	
Skating Lessons	<u>1,120.00</u>	58,105.18
		405,138.69

## Cemeteries:

Interments and Foundations	20,878.00	
Sale of Lots and Graves	<u>9,065.00</u>	29,943.00
Perpetual Care Fund-Income	29,242.09	
Perpetual Care Fund-Capital	<u>9,065.00</u>	68,250.09



## SCHEDULE G (Cont.)

## CONSERVATION:

State Share Reimbursement for Hall's Pond	\$ 57,102.90
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## INTEREST:

Taxes	\$ 124,548.26
Betterment Assessments	1,498.60
Water Mains	<u>5.96</u>
	126,052.82

Invested on Daily Basis	63,181.12
Tax Titles	8,462.37
Certificates of Deposits	<u>194,657.25</u>
	266,300.74
	392,353.56

## UNCLASSIFIED:

Metropolitan Water -	
Account of Property Acquired	1,887.40
Metropolitan Water District	
General Maintenance	4,534.43
Commonwealth of Mass. - Civil Service	1,356.65
Civil Defense-Telephone Reimbursements	<u>38.30</u>
	7,816.78

## REVENUE SHARING FUNDS:

Applied to Appropriations	1,150,000.00
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## TOTAL OPERATING REVENUE

	50,341,784.82
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## MUNICIPAL INDEBTEDNESS:

Anticipation of Revenue	7,200,000.00
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## INVESTED CASH:

Revenue Cash	50,200,000.00
Non-Revenue Cash	<u>13,400,000.00</u>
	63,600,000.00

## AGENCY AND TRUST FUNDS:

## School Lunch:

Schools	319,252.81
Federal Grants	<u>254,688.16</u>
Police Private Details	573,940.97
Sporting Licenses for State	128,628.75
Dog Licenses for County	21,373.25
School Athletic Activities	8,906.75
Fire Dept. Private Details	5,891.62
Recoveries-Books and Art Materials	3,134.25
Highway-No Parking Sign Deposits	1,107.97
Comptroller's Work Detail	816.00
Library Work Detail	524.06
	327.88

## Miscellaneous:

Payroll Deductions Withheld	10,300,958.96
Cash Escrow for Code Enforcement	5,220.00
Cash Escrow for Community	
Development Block	196,702.00
Trust Funds	32,746.55
Deposits on Engineering Plans	
and Specifications	4,610.00
Deposits on Portable Signs	<u>255.00</u>
	11,285,144.01



## SCHEDULE G (Cont.)

## CREDITS DIRECT TO APPROPRIATIONS:

Building Dept.	\$ 66.39
Cemetery	285.22
Code Enforcement	1,038.55
Community Development Block	54,608.87
Contingency	21,512.06
Fire Dept.	10.36
Forestry	685.20
Grants and Gifts	2,586.19
Group Insurance	24,402.82
Health	640.95
Highway - D.P.W.	2,681.58
Human Relations Commission	68.49
Library	485.54
Out of State Travel and Advances	4,515.00
Park Dept.	683.88
Police Dept.	85.92
Planning Dept.	190.75
Purchasing	223.84
Reserve for Accounts Payable	641.68
Selectmen	533.45
School	16,682.52
Trust Funds	985.98
Treasury	157.03
Special Appropriations	9,850.98
Veterans' Services	785.90
Water - D.P.W.	109.26
	<u>144,518.41</u>

## TOTAL GROSS RECEIPTS

132,571,447.24

## DEDUCT REFUNDS:

## Real Estate Taxes:

Levy of 1976	200,435.64
Levy of 1975	247,064.35
Levy of 1974	70,189.50
Levy of 1973	48,520.56
Levy of 1972	26,812.50
Levy of 1971	14,605.00
Levy of 1970	<u>1,770.00</u>
	609,397.55

## Personal Property Taxes:

Levy of 1976	10,243.80
Levy of 1975	2,432.00
Levy of 1974	876.00
Levy of 1973	<u>1,679.00</u>
	15,230.80

## Motor Vehicle Excise:

1976	3,315.80
1975	14,947.19
1974	2,578.04
1973	456.65
1972	<u>3.30</u>
	21,300.98



## SCHEDULE G (Cont.)

Schools	2,442.34	
Highway - D.P.W.	300.00	
Licenses	53.00	
Interest on Taxes	687.47	
Police	31.00	
Anderson-Park	89.50	
Golf - Park	76.00	
Library	134.63	
Cemetery	150.00	
Interest on Investments	<u>176.95</u>	4,140.89
Water Rates and Liens	<u>1,973.70</u>	652,043.92
		131,919,403.32

## TOTAL NET RECEIPTS

Cash Balance - July 1, 1975

GRAND TOTAL

8,831,896.57
<u>140,751,299.89</u>



## SCHEDULE H

## EXPENDITURES FROM CONTINGENCY FUND - FISCAL 1976

## Selectmen:

Advertising Fees	929.80
Appraisal Fees	2,950.00
Arbitration Fees	2,991.56
Court Judgment	1,104.79
Consultant Fee Insurance	4,685.00
Constable Fees	28.00
Conference expense and dues	347.38
Computer repairs	145.50
Insurance	100.00
Meeting expense	2,567.00
Overtime - Extra Compensation	
Various Departments	9,191.65
Postage	2,375.00
Printing	1,856.25
Subscriptions	300.00
Supplies	1,542.05
Surety Bond	346.00
Miscellaneous	765.15
	32,225.13
Bi-centennial Commission	285.64

## Counsel on Planning and Renewal:

Secretarial	19.00
Meeting expense	6.50
	25.50

## Human Relations and Youth Resources:

Travel Allowance	96.46
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## Park Department:

Anderson Park Plaque	300.00
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## Planning Department:

Dues	80.00
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## Personnel Board:

Meeting expense	88.80
Office equipment	37.50
	126.30

## School:

Drain work - Driscoll	800.00
-----------------------	--------

## Special Counsel

Federal Projects	4,982.83
Work Study Program	203.13
Electric Collating Machine	5,185.96

1,019.70
40,144.69
2,855.31
43,000.00



**SCHEDULE I**  
**TRUST FUND TRANSACTIONS**  
**June 30, 1976**

	Balance, July 1, 1975		Receipt of Income		Payment of Income	Adjustment Increase	Principal Income	Accumulated Income	Balance, June 30, 1976
<b>SCHOOL FUNDS:</b>									
<b>Mabel P. Bailey</b>	5,000.00		130.92	158.64	246.42		5,000.00		43.14
John A. Curtin	2,000.00	3,529.43	491.50	475.00	48.90A		2,000.00	3,594.83	
Payson Dana	3,000.00	2,099.26	359.21	450.00			3,000.00	2,008.47	
Abbie W. Deane	4,687.55	7,191.88	1,223.08	1,400.00	62.89A	4,687.00		7,078.40	
Charles W. Holtzer	8,333.33	9,776.41	1,389.97		37.54A	8,333.33		11,203.92	
J. Murray Kay	1,000.00	85.02	49.53	15.00		1,000.00		119.55	
W.H. Lincoln-Scholarship	20,362.01		1,108.12	1,099.78	37.54A	20,407.89			
W.H. Lincoln-Medal		2,455.55	116.52				2,572.07		
Summer E. Shikes	1,000.00	182.96	69.07	50.00		1,000.00		202.03	
Katherine B. Schick	10,000.00	450.44	437.50	450.00		10,000.00		437.94	
D. Blakely Hoar		11,024.71	604.42				11,629.13		
Arthur W. Murphy		567.95	12.74				580.69		
Edward Fredkin		4,413.79	237.23				4,651.02		
Kendrick Memorial		621.43	380.57	620.00		5,000.00		382.00	
Marian M. Thomas		1,357.63	1,756.97	2,100.00		25,000.00		1,014.60	
F.L. & M.C. Grymish		401.39	404.73	400.00		5,000.00		406.12	
	<u>90,382.89</u>	<u>44,288.77</u>	<u>8,799.80</u>	<u>7,306.20</u>	<u>186.87</u>	<u>90,428.22</u>		<u>45,923.91</u>	

**LIBRARY FUNDS:**

Alice W. Bancroft	1,000.00	486.14	94.51	476.74		1,000.00		103.91	
Caleb D. Bradlee	500.00	667.81	96.35	136.00		500.00		628.16	
Isabella S. Gardner	5,000.00	998.48	494.19	673.74		5,000.00		818.93	
John L. Gardner 1871	10,000.00	1,822.42	856.23	1,252.69		10,000.00		1,507.65	
John L. Gardner 1924	19,911.85	1,563.42	1,655.98	1,426.60	38.95A	19,911.85		1,831.75	
Martin L. Hall	5,000.00	373.34	572.04	142.08		5,000.00		803.30	
John E. Hoar	500.00	107.36	33.27			500.00		140.63	
Francis E. Hunt	6,597.27		591.14	977.46		5,000.00		1,242.64	
Louisa M. Hooper	5,000.00	362.56	234.99	342.31		5,000.00		255.24	
Sidney L. Kaye	240.00	52.94	16.03	47.92		240.00		21.05	
Leon R. Eyses	15,000.00	2,386.50	850.12	2,383.51		15,000.00		853.11	
D. Blakely Hoar	25,000.00	3,836.61	1,593.27	417.45		25,000.00		5,012.43	
Brookline Public Library		2,818.38	168.41	775.59	1,075.00B			3,286.20	
	<u>93,749.12</u>	<u>15,475.96</u>	<u>7,256.53</u>	<u>9,052.09</u>	<u>1,227.33</u>	<u>92,151.85</u>		<u>16,505.00</u>	



## SCHEDULE I (Cont..)

Balance, July 1, 1975		Receipt of Income		Payment of Income	Adjustment Increase	Balance, June 30, 1976
Principal	Accumulated Income	Principal	Income	Principal	Income	Accumulated Income
<b>TREE FUNDS:</b>						
Arthur W. & F.G. Blake	3,000.00	586.05	144.36	3,000.00		730.41
James W. Bowditch	4,500.00	501.26	314.14	4,500.00		815.40
James S. Warren	940.00	307.66	78.43	1,000.00		326.09
D. Blakely Hoar-Memorial		1,071.98	55.66			1,127.64
D. Blakely Hoar-Tree Planting		20,650.74	2,116.09	981.00		21,785.83
	<u>8,440.00</u>	<u>23,117.69</u>	<u>2,708.68</u>	<u>981.00</u>		<u>24,785.37</u>

## OTHER FUNDS:

Stabilization Fund	18,192.34	994.49	373.00	19,186.83
Public Safety - 1918	1,974.23	91.03	3,762.50	1,692.26
Stephen G. Train-Health	92,204.56	4,197.27		
Cemetery Perpetual Care		8,540.00	236.17A	263,163.95
D. Blakely Hoar-Bird Sanctuary		549.72		10,419.20
Conservation Fund		24.45	45.00	3,023.25
	<u>92,204.56</u>	<u>284,892.63</u>	<u>14,396.96</u>	<u>2,575.00B</u>
	<u>284,776.57</u>	<u>367,775.05</u>	<u>23,161.27</u>	<u>297,485.49</u>
	<u>284,776.57</u>	<u>367,775.05</u>	<u>21,519.79</u>	<u>283,719.40</u>
			<u>4,225.37</u>	<u>384,692.77</u>

A - Adjustment of securities to Cost Basis

B - Receipt of Gifts



**SCHEDULE J**  
**TAX LEVIES AND TAX COLLECTIONS**

Fiscal Period	Tax Levy	Collection of Current Taxes		Collection of Back Taxes		Collection of Current and Back Taxes		Total		Percentage Current and Back Taxes to Tax Levy	Tax Titles Held by Town and Foreclosed
		During	Fiscal Period	During	Fiscal Period	During	Fiscal Period	Back Taxes	Back Taxes		
1965	13,108,339	12,642,767	96.45%	273,914		12,916,681		98.54%		17,292	
1966	13,231,820	12,827,841	96.95%	292,600		13,120,441		99.16%		18,009	
1967	15,516,514	14,962,897	96.43%	251,771		15,214,668		98.06%		15,746	
1968	17,935,599	16,996,918	93.09%	336,244		17,033,162		94.97%		14,803	
1969	21,548,078	19,854,461	92.14%	793,738		20,648,199		95.82%		13,572	
1970	26,216,172	24,708,450	94.25%	843,250		25,551,700		97.46%		35,229	
1971	28,358,287	27,035,005	95.33%	527,333		27,562,338		97.19%		52,413	
1972	31,803,357	30,192,806	94.94%	532,451		30,725,257		96.61%		75,643	
1973-74	49,155,181	46,786,678	95.18%	550,939		47,337,618		96.30%		17,716	
1974-75	36,076,208	34,139,969	94.63%	1,079,809		35,219,778		97.63%		80,272	
1975-76	38,085,445	36,082,653	94.74%	911,635		36,994,288		97.13%		76,507	

**SCHEDULE K**  
**PERCENTAGE OF BONDED DEBT TO ASSESSED VALUATIONS AND BONDED DEBT PER CAPITA**

Fiscal Period	Population	Assessed Value	Percentage of Bonded Debt to Assessed Value		Bonded Debt Per Capita
			Bonded Debt	Assessed Value	
1965	53,608**	231,968,000	7,060,000	3.04%	131.70
1966	53,608	236,800,000	7,753,000	3.27%	144.62
1967	53,608	238,680,000	7,616,000	3.19%	142.07
1968	53,608	432,183,100+	7,760,000	1.80%	144.75
1969	53,608	439,755,700	6,874,000	1.56%	128.23
1970	58,090*	444,341,900	8,698,000	1.96%	149.73
1971	52,882**	446,587,200	17,882,000	4.00%	338.15
1972	52,882	444,802,200	19,218,000	4.32%	363.41
1973-74	52,627	450,983,300	17,001,000	3.76%	323.05
1974-75	52,978**	450,952,600	21,713,000	4.81%	409.85
1975-76	51,332	453,398,200	19,048,000	4.20%	371.07

Population:

\*U.S. Census

\*\*State Census

Estimated for Other Years

+Increase due to Revaluation of Taxable Properties  
-Decrease due to Revaluation of Taxable Properties



## SCHEDULE I

## VALUATIONS, TAX RATES, EXPENDITURES, DEBT AND PER CAPITAS

Year	Population	Valuations	Per Capita	Per \$1,000	Tax Rate	Expenditures	Debt		Per Capita
							Total	Funded	
1949	57,500	\$150,836,300	\$2,623	\$37.00		\$10,083,403	\$175.36	\$ 3,088,000	\$ 53.70
*1950	57,589	154,665,500	2,685	37.00		9,522,958	165.36	3,061,000	53.15
1951	57,500	159,589,300	2,775	38.90		10,318,673	179.46	2,976,000	51.76
1952	57,500	159,615,800	2,775	40.20		10,155,483	176.62	3,431,700	59.68
1953	57,000	162,445,800	2,849	41.00		11,119,453	195.08	4,097,500	71.89
+1954	57,000	164,933,700	2,893	44.30		11,975,210	210.09	3,772,000	66.18
+1955	56,876	168,041,300	2,954	45.00		10,911,992	191.86	3,813,000	67.04
1956	56,500	170,531,400	3,018	48.00		11,922,946	211.03	3,536,000	62.58
1957	56,000	178,013,000	3,178	48.50		12,585,319	224.74	4,070,000	72.68
1958	55,000	179,907,200	3,271	52.20		13,758,750	250.16	4,605,000	83.73
1959	54,500	181,681,400	3,333	55.50		14,794,228	271.45	4,693,000	86.11
*1960	54,044	184,662,000	3,416	54.00		14,136,519	261.57	4,551,000	84.21
1961	54,044	190,962,900	3,533	52.50		14,932,531	276.30	4,118,000	76.20
1962	54,044	216,909,500	4,013	48.50		16,448,715	304.36	7,135,000	132.02
1963	54,044	223,236,900	4,130	51.00		18,088,437	334.70	6,559,000	121.36
1964	54,044	227,340,900	4,206	56.00		19,081,119	353.07	6,247,000	115.59
+1965	53,608	231,968,000	4,327	56.50		19,879,027	370.80	7,060,000	131.70
1966	53,608	236,800,000	4,417	56.00		21,481,199	400.71	7,753,000	144.62
1967	53,608	238,680,000	4,452	65.00		24,340,713	454.05	7,616,000	142.07
1968	53,608	432,183,100=	8,061=	41.50-		25,577,488	477.12	7,760,000	144.75
1969	53,608	439,755,700	8,203	49.00		27,473,918	512.50	6,874,000	128.23
*1970	58,090	444,341,900	7,649	59.00		31,750,909	546.58	8,698,000	149.73
+1971	52,882	446,587,200	8,440	63.50		35,681,922	674.39	17,882,000	338.15
1972	52,882	444,802,200	8,411	71.50		42,042,911	795.03	19,218,000	363.41
1973-74	52,627	450,983,300	8,569	73.00		62,686,226	1,191.14	17,001,000	323.05
+1974-75	52,978	450,952,600	8,512	80.00		47,327,098	893.33	21,713,000	409.85
1975-76	51,332	453,398,200	8,832	84.00		47,648,400	928.24	19,048,000	371.07

\* Official Federal Census Figures

+ Official State Census Figures

= Increase due to Revaluation of Taxable Properties

- Decrease due to Revaluation of Taxable Properties

Estimated for Other Years



## SCHEDULE M

## ASSESSORS' VALUATION OF TOWN PROPERTY

June 30, 1976

	Land	Buildings	Personal Property	Total
Town Hall	\$ 300,000	\$ 2,400,000	\$ 250,000	\$ 2,950,000
Police Station	50,000	700,000	25,000	775,000
Train Health Center	100,000	400,000	40,000	540,000
V.F.W. Center	150,000			150,000
19 Foreclosed Properties	63,000			63,000
Schools			600,000	23,932,600
High	400,000	4,500,000		
Manual Training High	100,000	200,000		
Baker	500,000	1,500,000		
Baldwin	65,000	175,000		
Baldwin (part)	50,000			
Clark	50,000			
Devotion School and Devotion				
House	500,000	1,220,000		
Driscoll	525,000	1,000,000		
Heath	270,000	950,000		
Lawrence	100,000	2,500,000		
Lincoln	275,000	1,059,600		
Pierce	400,000	5,700,000		
Runkle	200,000	1,000,000		
Sewall	43,000	50,000		
Public Library	200,000	3,300,000	689,000	5,145,200
Branch Libraries				
Pleasant Street	75,000	500,000		
West Roxbury Parkway	45,000	320,000		
School Street (library)	15,000	1,200		
Fire Department			300,000	1,585,200
Station 1, Village Square	60,000	100,200		
Station 2, Washington and				
Thayer Street	50,000	200,000		
Station 4, Boylston Street	40,000	90,000		
Station 5, Babcock	100,000	300,000		
Station 6, Hammond Street	42,000	250,000		
Station 7, Washington Street	13,000	40,000		
Highway Department			765,000	2,315,000
Hammond Street Yard	40,000	12,000		
Incinerator	450,000	801,000		
Cypress Street Yard & Garage	67,000	100,000		
Land, Newton Street	80,000			
Water Department			2,700,000	3,545,600
Covered Reservoir, Fisher Hill	104,000	300,000		
Reservoir and Standpipe				
Singletree Hill	56,600	295,000		
Garage, Emerald Street	35,000	55,000		
Recreation Commission				
Gymnasium and Swimming Pool	130,000	2,300,000	75,000	2,888,000
Soule Center	300,000	83,000		
Conservation Commission				
Hall's Pond	80,000			80,000



## SCHEDULE M - VALUATION OF TOWN PROPERTY - (Cont.)

	Land	Buildings	Personal Property	Total
Parks and Public Grounds			\$ 90,000	\$ 7,587,200
Addington Road	\$ 75,000	\$ 500		
Amory Playground	300,000	26,000		
Anderson Estate	600,000	314,600		
Babcock and Dwight Triangle	7,000			
Babcock and Freeman Triangle	6,500			
Beacon Playground	500,000	25,000		
Beverly Road	50,000			
Brook Street Playground	24,000			
Brookline Ave. Playground	270,000	50,000		
Brookline Field	450,000	125,000		
Clark Playground	50,000			
Coolidge Playground	146,000			
Corey Hill Park-North	125,000			
Corey Hill Park-South	120,000			
Cypress Playground	300,000			
Devotion Playground	165,000			
Dudley Street Triangle	32,000			
Eliot Playground	460,000	43,000		
Eliot Land	37,000			
Emerson Park	150,000			
Farm Playground	17,000			
Griggs Field Playground	200,000			
Hammond Street	80,000			
Kent, Brook and Bowker Playground	40,000			
Knyvet Square	250,000			
Lawton Playground	40,000			
Linden Park	20,000			
Linden Square	9,500			
Longwood Playground	300,000			
Longwood Square	100,000			
Mason Square	48,000			
Netherlands Road	50,000	75,000		
Philbrick Square	12,000			
Pierce Playground	300,000			
Putterham Meadows	720,000	155,000		
Reservoir Lane	4,000			
Reservoir Park	150,000	6,000		
Riverdale Parkway	100,000			
Robinson Playground	100,000	100		
Vernon Park	37,000			
Walnut and Warren Triangle	3,000			
Winthrop Square	125,000			
Woodland Road & Hammond Street	104,000			
Walnut Hills Cemetery House				
96 Grove Street		19,500	1,500	21,000
Fire and Police Telegraph			150,000	150,000
Forestry Department			11,500	11,500
Heating and Lighting Plant			77,200	77,200
Sanitation Department			30,500	30,500



## SCHEDULE M - VALUATION OF TOWN PROPERTY - (Cont.)

			Personal Property	Total
	Land	Buildings		
Street Lighting System			\$ 50,000	\$ 50,000
Parking Lot-Babcock Street	\$ 130,000			130,000
Parking Lot-Centre Street	400,000			400,000
Parking Lot-Centre Street	130,000			130,000
Parking Lot-Fuller Street	65,000			65,000
Parking Lot-John Street				
Extension	30,000			30,000
Parking Lot-Kent Street	58,000			58,000
Parking Lot-Webster Street	30,000			30,000
Parking Lot-Webster Street	165,000			165,000
Newton Street Land	4,000			4,000
86 Monmouth Street	60,000	5,000		65,000
	<u>\$ 13,872,600</u>	<u>\$ 33,246,700</u>	<u>\$ 5,854,700</u>	<u>\$ 52,974,000</u>



## SCHEDULE N

## BROOKLINE RETIREMENT SYSTEM

Submitted herewith is the Annual Report of the Brookline Retirement System for the fiscal year ending June 30, 1976, consisting of a Schedule of Income and Disbursements, a Balance Sheet, and a Schedule of Securities Owned.

During this period the Board retired 43 members, of which 19 were for super-annuation, 16 were for accidental disability, 5 for ordinary disability, and 3 survivorship allowances for the widows of deceased members.

Membership in the system at the close of the fiscal year totalled 1,850, which is comprised of the following categories:

1341 Active members  
11 Inactive members  
498 Retired members

## INCOME AND DISBURSEMENTS

Cash balance July 1, 1975	\$ 18,778.69
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## Income:

From members	\$ 768,744.54
From Town:	
Pension Fund	2,524,075.00
Expense Fund	30,807.00
Transfers from other systems	6,270.99
Reimbursements from other systems	13,146.51
Members redeposits and repayments	9,185.63
Investment Income	640,273.62
Sale of Securities	460,000.00
Profit on securities sold	<u>1,857.50</u> <u>4,454,360.79</u>
	4,473,139.48

## Disbursements:

Annuities paid	\$ 251,294.41
Pensions paid	2,328,683.32
Pension reimbursements to other systems	46,787.82
Refunds and transfers of member's accounts	66,969.08
Administration	30,203.71
Purchase of securities	851,111.00
Certificates of Deposit	500,000.00
Accrued interest on securities	<u>5,738.19</u> <u>4,080,787.53</u>
Cash balance June 30, 1976	\$ 392,351.95



## ASSETS

Cash	\$ 392,351.95
Investments:	
Bonds	9,256,869.48
Stocks	383,282.50
Savings Banks	7,922.42
Cooperative Banks	160,000.00
Certificate of Deposit	100,000.00
Interest Accrued	<u>139,718.02</u>
	<u>\$10,440,144.37</u>

## LIABILITIES

Annuity Savings Fund	\$7,385,513.06
Annuity Reserve Fund	2,277,491.79
Pension Fund	761,605.59
Military Service Credit Fund	9,338.03
Expense Fund	<u>6,195.90</u>
	<u>\$10,440,144.37</u>

## SECURITIES OWNED - JUNE 30, 1976

## Bonds - par value

U.S. Government	\$ 55,000.00
International Agencies	150,000.00
Railroad companies	400,000.00
Telephone companies	2,835,000.00
Public Utility companies	4,490,000.00
Industrial companies	<u>1,320,000.00</u>
	<u>\$9,250,000.00</u>

Stocks:	Number of Shares	Market Value 12/31/75
Banking companies	16,470	\$383,282.50
Massachusetts		
Cooperative Banks	800	<u>\$160,000.00</u>
Savings Banks Deposits		\$7,922.42
Certificate of Deposit		<u>\$100,000.00</u>









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